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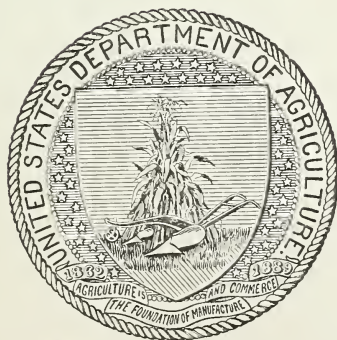
# FOODS AND FOOD CONTROL.

[I I.]

BY

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## LETTER OF TRANSMITTAL.

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UNITED STATES DEPARTMENT OF AGRICULTURE,  
BUREAU OF CHEMISTRY, OFFICE OF THE CHIEF,  
*Washington, D. C., August 28, 1902.*

SIR: I have the honor to transmit herewith for your inspection and approval a manuscript containing food laws now in force in Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, and Michigan. I recommend its publication as Bulletin No. 69, Part II, of the Bureau of Chemistry.

Respectfully,

W. D. BIGELOW,  
*Acting Chief.*

HON. JAMES WILSON,  
*Secretary of Agriculture.*



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# FOODS AND FOOD CONTROL.—II.

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## ILLINOIS.

The State has a food commissioner whose duty it is to enforce all laws relating to this subject.

### GENERAL FOOD LAWS.

SEC. 7. *Adulteration in general; penalty.* Whoever fraudulently adulterates, for the purpose of sale, bread or any other substance intended for food, or any candy or confection, with any substance which is poisonous or injurious to health, and whoever sells or offers or keeps for sale any adulterated bread or other substance intended for food, or candy or confection, knowing the same to be adulterated, or shall sell or offer to sell or keeps for sale any flesh of any diseased animal or other corrupt or unwholesome provision, shall be confined in the county jail not exceeding one year, or be fined not exceeding \$1,000, or both, in the discretion of the court.

SEC. 8. *Injurious adulteration of liquors; penalty.* Whoever adulterates, for the purpose of sale, any liquor used or intended for drink, with cocculus-indicus, vitriol, grains of paradise, opium, alum, capsicum, copperas, laurel water, logwood, Brazil wood, cochineal, sugar of lead, or any other substance which is poisonous or injurious to health; and whoever sells or offers or keeps for sale any such liquor so adulterated, shall be confined in the county jail not exceeding one year, or fined not exceeding \$1,000, or both.—*Law of March 24, 1874 (Rev. Stat., 1901, ch. 38, p. 583).*

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SEC. 9h. (1) *Coloring foods, etc.* *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* that no person shall mix, color, stain or powder, or order or permit any other person in his or her employ to mix, color, stain or powder any article of food with any ingredient or material, so as to render the article injurious to health, or depreciate the value thereof, with intent that the same may be sold; and no person shall sell or offer for sale any such article so mixed, colored, stained or powdered.

SEC. 9i. (2) *Coloring drugs, etc.* No person shall, except for the purpose of compounding in the necessary preparation of medicine, mix, color, stain or powder, or order or permit any other person to mix, color, stain or powder, any drug or medicine with any ingredient or material, so as to affect injuriously the quality or potency of such drug or medicine, with intent to sell the same, or shall sell or offer for sale any such drug or medicine so mixed, colored, stained, or powdered.

SEC. 9j. (3) *Compounds; adulterated products must be so labeled.* No person shall mix, color, stain or powder any article of food, drink or medicine, or any article which enters into the composition of food, drink or medicine, with any other ingredient or material, whether injurious to health or not, for the purpose of gain or profit, or sell, or offer the same for sale, or order or permit any other person to sell or offer for sale any article so mixed, colored, stained or powdered, unless the same be so manufactured, used or sold, or offered for sale under its true and appropriate name, and notice that the same is mixed or impure is marked, printed or stamped upon each package, roll, parcel or vessel containing the same, so as to be and remain at all times, readily visible, or unless the person purchasing the same is fully informed by

the seller of the true name and ingredients (if other than such as are known by the common name thereof) of such article of food, drink or medicine, at the time of making sale thereof or offering to sell the same.

SEC. 9k. (4) *Butter and cheese.* No person shall mix oleomargarine, suine, butterine, beef-fat, lard, or any other foreign substance, with any butter or cheese intended for human food, without distinctly marking, stamping or labelling the article, or the package containing the same, with the true and appropriate name of such article, and the percentage in which such oleomargarine or suine enters into its composition; nor shall any person sell or offer for sale, or order or permit to be sold or offered for sale, any such article of food into the composition of which oleomargarine or suine has entered, without at the same time informing the buyer of the fact and the proportions in which such oleomargarine, suine or butterine, beef-fat, lard, or any other foreign substance has entered into its composition: *Provided*, that nothing in this act shall be so construed as to prevent the use of harmless coloring matter in butter and cheese, or other articles of food.

SEC. 9l. (5) *Penalty.* Any person convicted of violating any provision of any of the foregoing sections of this act shall, for the first offense, be fined not less than twenty-five dollars (\$25), nor more than two hundred dollars (\$200); for the second offense he shall be fined not less than one hundred dollars (\$100), nor more than two hundred dollars (\$200), or confined in the county jail, not less than one month nor more than six months, or both, at the discretion of the court; and for the third and all subsequent offenses he shall be fined not less than five hundred dollars (\$500) nor more than two thousand dollars (\$2,000), and imprisoned in the penitentiary not less than one year nor more than five years.

SEC. 9m. (6) *Knowledge.* No person shall be convicted under any of the foregoing sections of this act, if he shows to the satisfaction of the court or jury that he did not know that he was violating any of the provisions of this act, and that he could not, with reasonable diligence, have obtained the knowledge.

SEC. 9n. (7) *Enforcement.* The State's attorneys of this State are charged with the enforcement of this act, and it is hereby made their duty to appear for the people and to attend to the prosecution of all complaints under this act, in their respective counties in all courts.—*Approved June 1, 1881. (Rev. Stat. 1901, ch. 38, p. 584.)*

SEC. 1. *Coloring grain.* *Be it enacted by the people of the State of Illinois, represented in the General Assembly,* That no person shall subject, or cause to be subjected, any barley, wheat or other grain, to fumigation, by sulphur, or other material or to any chemical or coloring process, whereby the color, quality or germ of such grain is affected.

SEC. 2. *Not to be on sale.* No person shall offer for sale, or procure to be sold, any barley, wheat, or other grain, which shall have been subjected to such fumigation, or other process, as provided in section one (1) of this act, knowing such barley, wheat, or other grain to have been so subjected.

SEC. 3. *Penalty.* Any person violating the provisions of this act shall, upon conviction, be punished by a fine of not less one hundred (\$100) dollars, nor more than one thousand (\$1,000) dollars and imprisonment not exceeding three months in the county jail, and shall also be liable for all damages sustained by any person injured by such violation.

SEC. 4. *How fines collected.* Any court of record shall have jurisdiction over this act, and all fines under this act, shall be collected as the statute provides in other criminal cases.—*Approved May 25, 1877.*

SEC. 10. *Drugs.* Whoever fraudulently adulterates for the purpose of sale any drug or medicine, or sells or offers or keeps for sale any fraudulently adulterated

drug or medicine, knowing the same to be adulterated, shall be confined in the county jail not exceeding one year, or fined not exceeding \$1,000, and such adulterated drugs and medicines shall be forfeited and destroyed.—*Revised Statutes 1901.*

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SEC. 1. *State food commissioner's office created.* Be it enacted by the People of the State of Illinois represented in the General Assembly: That the office of State Food Commissioner for the State of Illinois is hereby created. Within thirty days after this act shall take effect such commissioner shall be appointed by the Governor, by and with the advice and consent of the Senate, and his term of office shall be for two (2) years from the date of his appointment and until his successor is appointed and qualified. Thereafter the term of office of the commissioner shall be for four years and until his successor is qualified. The salary of the commissioner shall be twenty-five hundred dollars (\$2,500) per annum and his necessary and actual expenses in the discharge of his official duties.

SEC. 2. *Assistant commissioners; analyst.* Such commissioner may, with the advice and consent of the Governor, appoint two assistant commissioners, each of acknowledged standing, ability and integrity, one of whom shall be an expert in the matter of dairy products, and the other of whom shall be a practical and analytical chemist, who shall be known as the State Analyst. The salaries of such assistants shall not exceed eighteen hundred dollars (\$1,800) each per annum and their necessary and actual expenses incurred in the discharge of their official duties. In case of the absence or inability of the State Analyst to perform all the duties of his office, the commissioner may appoint some competent person to assist in the same temporarily.

SEC. 3. *Inspectors.* The Food Commissioner shall have authority to appoint necessary inspectors not exceeding six in number to assist in the work of the Food Commissioner, at such times and for such periods of time as may be required in the enforcement of the dairy and food laws of the State. Such inspectors shall have the same right of access to places to be inspected as the commissioner. The compensation of such inspectors shall be three dollars (\$3.00) per day for each day of actual service, and their necessary and actual expenses when so employed.

SEC. 4. *Duty of commissioner.* It shall be the duty of the commissioner to enforce all laws that now exist or that may hereafter be enacted in this State regarding the production, manufacture or sale of dairy products, or the adulteration of any article of food, and personally or by his assistants to inspect any article of food made or offered for sale within this State, which he may, through himself or his assistants, suspect or have reason to believe to be impure, unhealthful, adulterated or counterfeit, and to prosecute, or cause to be prosecuted, any person or persons, firm or firms, corporation or corporations, engaged in the manufacture or sale of any adulterated or counterfeit article or articles of food contrary to the laws of this State.

SEC. 5. *Inspection of dairy and food products.* It shall be the duty of the Food Commissioner to carefully inquire into the quality of the dairy and food products, and the several articles which are foods or the necessary constituents of food which are manufactured for sale or sold or exposed or offered for sale in this State, and he may in a lawful manner procure samples of the same, and direct the State Analyst to make due and careful examination of the same and report to the commissioner the results of the analysis of all or any such food or dairy products as are adulterated, impure or unwholesome, in contravention of the laws of this State, and it shall be the duty of the commissioner to make complaint against the manufacturer or vender thereof in the proper county, and furnish the prosecuting attorney with the evidence thereon and thereof to obtain a conviction for the offense charged. The Food Commissioner or his assistants, or any person by him duly appointed for that purpose, shall have power in the performance of their duties to enter any

dairy, creamery, cheese factory, store, saleroom, warehouse (except bonded warehouses for the storage of distilled spirits), where goods are stored or exposed for sale, or place where they have reason to believe food is stored or offered for sale, and open any cask, tub, jar, bottle or package containing or supposed to contain any article of food, and examine or cause to be examined the contents thereof, and take therefrom samples for analysis. The person making such inspection shall take such sample of such article or product in the presence of at least one witness, and he shall, in the presence of such witness, mark or seal such sample and shall tender, at the time of taking, to the manufacturer or vender of such product, or to the person having the custody of the same, the value thereof, but if the person from whom such sample is taken shall request him to do so, he shall at the same time, and in the presence of the person from whom such property is taken, securely seal up two samples of the article seized or taken, the one of which shall be for examination or analysis under the direction of the commissioner, and the other of which shall be delivered to the person from whom the article was taken. Any person who shall obstruct the commissioner or any of his assistants by refusing to allow him entrance to any place which he desires to enter in the discharge of his official duty, or refuse to deliver to him a sample of any article of food made, sold, offered or exposed for sale by such person, when the same is requested, and when the value thereof is tendered, shall be guilty of a misdemeanor, punishable by a fine of not exceeding fifty (50) dollars for the first offense, and not exceeding five hundred (500) dollars or less than fifty dollars (\$50) for each subsequent offense.

SEC. 6. *State's attorney to assist.* It shall be the duty of the State's attorney in any county of the State, when called upon by the commissioner or any of his assistants, to render any legal assistance in his power to execute the laws and to prosecute cases arising under provisions of this act.

SEC. 7. *State Board of Health may submit samples.* The State Board of Health may submit to the commissioner or to any of his assistants samples of food or drink for examination or analysis, and shall receive special reports showing the result of such examination or analysis.

SEC. 8. *Certificates of State analyst.* It shall be unlawful for the State Analyst, while he holds his office, to furnish to any individual, firm or corporation any certificate as to the purity or excellence of any article manufactured or sold by them to be used as food or in the preparation of food.

SEC. 9. *Salary of commissioner.* The salary of the commissioner shall be paid from the fund appropriated for the payment of the salaries of State officers, and his assistants shall be paid out of the State treasury from the same fund and in the same manner as the salaries of other employes of the State are paid, and their official expenses shall be paid at the end of each calendar month upon bills duly itemized and approved by the Governor, and the amount necessary to pay such salaries and expenses is hereby appropriated.

SEC. 10. *Laboratory.* The commissioner may, under the direction of the Governor, fit up a laboratory with sufficient apparatus for making the analysis contemplated in this act, and for such purpose the sum of fifteen hundred dollars (\$1,500), or so much thereof as may be necessary, is hereby appropriated; and for the purpose of providing materials, and for necessary expenses connected with the making of such analysis, there is also hereby appropriated so much money as may be necessary, not exceeding six hundred dollars (\$600) annually. The appropriation provided for in this section shall be drawn from the State treasury upon certified bills approved by the Governor.

SEC. 11. *Annual report of commissioner; disposal of fines.* The commissioner shall make an annual report to the Governor on or before the first day of January in each year, which shall be printed and published. Such report shall cover the doings of his office for the preceding year and shall show, among other things, the number of factories, creameries and other places inspected, and by whom; the number of specimens of food articles analyzed and the State Analyst's report upon

each one when the analysis indicates the same to be contrary to law; the number of complaints entered against persons for violation of the laws relative to the adulteration of food; the number of convictions had, and the amount of fines imposed therefor, together with such recommendations relative to the statutes in force as his experience may justify. The commissioner may also prepare, print and distribute [to] the newspapers of the State, and to such persons as may be interested, or may apply therefor, a monthly bulletin containing results of inspections, the results of analysis made by the State Analyst of articles of food offered by sale contrary to law, with proper explanation of the same, and such other information as may come to him in his official capacity relating to the adulteration of food and drink products and of dairy products, so far as he may deem the same of benefit and advantage to the public; also a brief summary of all the work done during the month by the commissioner and his assistants in the enforcement of the laws of the State, but not more than ten thousand copies of each of such monthly bulletins shall be printed: *Provided*, the necessary printing shall be done by the State printer, and all expenses for stationery and printing shall be audited, and paid from the same fund and in the same manner as other State printing and stationery.

All fines, penalties and costs recovered for violations of this act and other acts now enacted or hereafter to be enacted prohibiting or regulating the adulteration of foods, shall be paid into the State treasury to the credit of the general fund of the State.

SEC. 12. *Adulterated food.* No person shall, within this State, manufacture for sale, have in his possession with intent to sell, offer for sale, or sell, any article of food which is adulterated within the meaning of this act.

SEC. 13. "*Food*" *defined.* The term "food," as used herein, shall include all articles, whether simple, mixed or compound, used for food, candy, drink or condiment by man or domestic animals.

SEC. 14. *Adulteration defined.* An article shall be deemed to be adulterated within the meaning of this act:

*First*—If any substance or substances has or have been mixed with it so as to depreciate, lower or injuriously affect its quality, strength or purity.

*Second*—If any inferior or cheaper substance or substances has or have been substituted wholly or in part for the article.

*Third*—If any valuable necessary constituent or ingredient has been wholly or in part abstracted from it.

*Fourth*—If it be an imitation of and sold under the name of another article.

*Fifth*—If it is mixed, colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is.

*Sixth*—If it contains any added substance or ingredient which is poisonous or injurious to health.

*Seventh*—If it consists wholly or in part of a decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not, or if it is the product of a diseased animal, or if of an animal that has died otherwise than by slaughter: *Provided*, that an article of food which does not contain any ingredient injurious to health, and in the case of mixtures or compounds, which may be now, or from time to time hereafter, known as articles of food under their own distinctive names, or which shall be labeled so as to plainly indicate that they are mixtures, combinations, compounds or blends, and not included in definition fourth of this section, shall not be deemed to have been adulterated: *Provided further*, that all manufactured articles of food offered for sale shall be distinctly labeled, marked or branded with the name of the manufacturer and place of manufacture, or the name and address of the packer or dealer who sells same.

SEC. 22. *Flavoring extracts.* Extracts made of more than one principle must be labeled with the name of each principle or else simply with the name of the inferior or adulterant.

In all cases when an extract is labeled with two or more names the type used is to be similar in size, and the name of any one of the articles used is not to be given greater prominence than another. The word compound can not be used. Extracts which can not be made from the fruit, berry or bean, and must necessarily be made artificially, as raspberry, strawberry, etc., shall be labeled "artificial." Chocolates and cocoas must not contain substances other than cocoa mass, sugar and flavoring and will not be required to be labeled "compound" or "mixture." Prepared coconut, if so labeled, shall contain nothing but coconut, sugar and glycerine, and shall not be classed as a compound or mixture.

SEC. 23. *False branding.* Whoever shall falsely brand, mark, stencil or label any article or product required by this act to be branded, marked, stenciled, or labeled, or shall remove, alter, deface, or mutilate, obliterate, imitate or counterfeit, any brand, mark, stencil or label so required, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five nor more than two hundred dollars and costs of prosecution, or by imprisonment in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment, in the discretion of the court, for each and every offense.

SEC. 24. *Taking orders deemed a sale.* The taking of orders, or the making of agreements or contracts, by any person, firm or corporation, or by any agent or representative thereof, for the future delivery of any of the articles, products, goods, wares or merchandise embraced within the provisions of this act, shall be deemed a sale within the meaning of this act.

SEC. 25. *Samples to be furnished analyst.* Every person manufacturing, offering or exposing for sale or delivery, to a purchaser any article intended for food, shall furnish to any person or analyst or other officer or agent appointed hereunder who shall apply to him for the purpose, and shall tender him the value of the same, a sample sufficient for the analysis of any such article which is in his possession. Whoever hinders, obstructs or in any way interferes with any inspector, analyst or other officer appointed hereunder in the performance of his duty, and whoever wilfully neglects or refuses to do any of the acts or things enjoined by this act, or in any way violates any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall, where no specific penalty is prescribed by this act, be punished by a fine not exceeding two hundred nor less than twenty-five dollars, or by imprisonment in the county jail for a period not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court.

SEC. 26. *Repeal.* All acts and parts of acts inconsistent with this act, and section 6 of an act entitled "An act to prevent the adulteration of butter and cheese, or the sale or disposal of the same, or the manufacture or sale of any article as a substitute for butter or cheese, or any article to be used as butter and cheese," approved June 1, 1881, be, and they are hereby, repealed.—*Approved April 24, 1899. (Laws, 1899, p. 49; Rev. Stat., 1901, ch. 127b, pp. 1693-97.)*

## CANDY.

SEC. 19. Any person or persons manufacturing for sale or selling or offering to sell any candies or confectioneries adulterated by the admixture of terra alba, barytes, talc or other earthy or material substances, or any poisonous colors, flavors or extracts or other deleterious ingredients detrimental to health, shall, upon proper conviction thereof, be punished by a fine of not less than ten nor more than one hundred dollars, or imprisonment in the county jail not less than ten nor more than thirty days, or both such fine and imprisonment in the discretion of the court.—*Rev. Stat., 1901, ch. 127b, p. 1696.*

## CANNED AND PRESERVED GOODS.

SEC. 104a. (1) *Branding.* *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall hereafter be unlawful in this State for any packer or dealer in preserved or canned fruits and vegetables or other articles of food to offer such canned articles for sale after January 1, 1886, with the exception of goods brought from foreign countries, or packed prior to the passage of this act, unless such articles bear a mark to indicate the grade or quality together with the name and address of such firm, person or corporation that pack the same or dealer who sells the same. The firm, person or corporation labeling such goods shall be considered the packer or packers.

SEC. 104b. (2) *Soaked goods.* That all soaked goods put up from products dried before canning shall be plainly branded on the face of the label, in letters not less than one half inch high and three eighths inch wide of solid and legible type the word "soaked."

SEC. 104c. (3) *Penalty.* Any person, firm or corporation, who shall falsely stamp or label such cans or jars containing preserved fruit or food of any kind, or knowingly permit such false stamping or labeling, and any person, firm or corporation who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and punished with a fine of not less than fifty dollars (\$50), in the case of vendors, and in the case of manufacturers and those falsely or fraudulently stamping or labeling such cans or jars a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000), and it shall be the duty of any board of health in this State cognizant of any violation of this act to prosecute any person, firm or corporation, which it has reason to believe has violated any of the provisions of this act, and after deducting the costs of the trial and conviction, to retain for the use of such board the balance of the fine or fines recovered.—*Approved June 27, 1885. (Rev. Stat., 1901, ch. 38, p. 609.)*

SEC. 20. *Addition to canned goods of injurious ingredients; labels.* No packer or dealer in preserved or canned fruits and vegetables, or other articles of food, shall sell or offer for sale such canned or preserved fruits and vegetables or other articles of food, unless they shall be entirely free from substances or ingredients deleterious to health, and unless such articles bear a mark, stamp, brand or label, bearing the name and address of the firm, person or corporation that packs same, or dealer that sells same. All soaked or bleached goods or goods put up from products dried before canning, shall be plainly marked, branded, stamped or labeled as such, with the words "soaked" or "bleached goods" in letters not less than two-line pica in size, showing the name of the article and name and address of the packer or dealer who sells same.

SEC. 21. *Adulteration of jelly, jam, etc.; labels.* No person shall manufacture for sale, have in his possession with the intent to sell, offer or expose for sale, or sell, as fruit, jelly, jam or fruit butter, any jelly, jam or imitation fruit butter or other similar compound made or composed, in whole or in part, of glucose, dextrine, starch or other substances, and colored in imitation of fruit jelly, jam or fruit butter; nor shall any such jelly, jam or fruit butter or compound be manufactured or sold, or offered for sale, under any name or designation whatever, unless the same shall be composed entirely of ingredients not injurious to health; and every can, pail or package of such jelly, jam or butter sold in this State shall be distinctly and durably labeled "Imitation fruit, jelly, jam or butter," with the name and address of manufacturer or dealer who sells same.—*Rev. Stat., 1901, ch. 127b.*

DAIRY PRODUCTS.<sup>a</sup>

SECTION 9. (1) *Sale of adulterated, diluted or diseased milk; penalty.* Be it enacted by the People of the State of Illinois, represented in the General Assembly, that whoever shall, for the purpose of sale for human food, adulterate milk with water or any foreign substance, or whoever shall knowingly sell for human food, milk from which cream has been taken, without the purchaser thereof being informed or knowing the fact, or whoever shall knowingly sell for human food, milk from which what is commonly called "strippings" has been withheld, without the purchaser thereof being informed or knowing the fact, or whoever shall knowingly sell for human food milk drawn from a diseased cow, knowing her to be so diseased as to render her milk unwholesome, or whoever shall knowingly sell for human food, milk so tainted or corrupted as to be unwholesome, or whoever shall knowingly supply, or bring to be manufactured into any substance for human food, to any cheese or butter factory or creamery, without all interested therein knowing or being informed of the fact, milk which is adulterated with water or any foreign substance, or milk from which cream has been taken, or milk from which what is commonly called "strippings" has been withheld, or milk drawn from a diseased cow, knowing her to be so diseased as to injure her milk, or milk so tainted or corrupted as to be unwholesome, or whoever shall knowingly, with intent to defraud, take from milk after it has been delivered to a cheese factory, or butter factory, or creamery, to be manufactured into any substance for human food, for or on account of the person supplying the milk or cream, or shall with like intent, knowingly add any foreign substance to the milk or cream, whereby it, or the products thereof shall become unwholesome for human food, shall be guilty of a misdemeanor, and for each and every such misdemeanor shall be fined not less than twenty-five (25) nor more than one hundred dollars (\$100), or confined in the county jail not exceeding six (6) months, or both, in the discretion of the court.

SEC. 9a. (2) *Keeping diseased cows, etc.* Any person who shall adulterate milk, with the view of offering the same for sale or exchange, or shall keep cows for the production of milk for market, or for sale or exchange, in an unhealthy condition, or knowingly feed the same on food that produces impure, diseased, or unwholesome milk, shall be deemed guilty of a misdemeanor, and on conviction, shall be punished by a fine of not less than fifty dollars (\$50), nor more than two hundred dollars (\$200), for each and every offence.

SEC. 9b. (3) *Cans, vehicles, etc., to be marked.* Any person or persons who shall in any of the cities of this State, engage in or carry on a retail business in the sale, exchange of, or any retail traffic in milk, shall have each and every can in which the milk is carried or exposed for sale or exchange, and the carriage or vehicle from which the same is vended, conspicuously marked with his, her, or their name or names, also indicating by said mark the locality from which said milk is obtained or produced, and for every neglect of such marking, the person or persons so neglecting, shall be subject to the penalties expressed in section two (9a) of this act, but for every violation of this act, by so marking said cans, carriage or vehicle, as to convey the idea that said milk is produced or procured from a different locality than it really is, the person or persons so offending shall be subject to a fine of one hundred dollars (\$100).

SEC. 9c. (4) *Skimmed milk.* Any person who shall in any of the cities in this State, offer for sale any milk from which the cream or any part thereof shall have been taken, shall offer for sale and sell the same as skimmed milk, and not otherwise, and shall have each can or vessel in which such milk is carried, or exposed for sale, plainly and conspicuously marked with the words, "Skimmed Milk." Any person violat-

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<sup>a</sup>See also General Food Laws.



ing this section shall be subject to a fine not exceeding fifty dollars (\$50) for each and every violation.

SEC. 9d. (5) *Judgment—issuing capias.* Upon the rendition of judgment imposing a fine as provided in the foregoing sections, it shall be the duty of the justice of the peace or other court rendering said judgment, also to render a judgment for the costs and forthwith to issue a *capias* or warrant of commitment against the body of the defendant, commanding that, unless the said fine and costs be forthwith paid, the defendant shall be committed to the jail of the county, and the constable or other officer to whose hands said *capias* or warrant shall come, shall in default of such payment, arrest the defendant and commit him to the jail of the county, there to remain, as provided by section 308 of "An Act to revise the law in relation to criminal jurisprudence," in force July 1, 1874; unless such fine and costs shall sooner be paid.

SEC. 9e. (6) *Adulteration of milk defined.* The addition of water or any foreign substance to milk or cream intended for sale, or exchange, is hereby declared an adulteration. Any milk that is obtained from cows fed on distillery waste, usually called "swill," or upon any substance in a state of putrefaction, is hereby declared to be impure, and unwholesome. Nothing in this act shall be construed to prevent the addition of sugar in the manufacture of condensed or preserved milk.—*Approved May 29, 1879. (Rev. Stat., 1901, ch. 38, p. 583.)*

SEC. 39a. (1) *Packages, etc., of butter or cheese stamped or marked.* *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* that whoever manufactures, sells or offers for sale, or causes the same to be done, any substance purporting to be butter or cheese, or having the semblance of butter or cheese, which substance is not made wholly from pure cream or pure milk, unless the same be manufactured under its true and appropriate name, and unless each package, roll or parcel of such substance, and each vessel containing one or more packages of such substance, having distinctly and durably painted, stamped or marked thereon the true and appropriate name of such substance, in ordinary bold faced capital letters not less than five lines pica, shall be punished as provided in section three of this act.

SEC. 39b. (2) *Labels.* Whoever shall sell any such substance as is mentioned in section one of this act, to consumers, or cause the same to be done, without delivering with each package, roll or parcel so sold, a label on which is plainly and legibly printed, in Roman letters, the true and appropriate name of such substance, shall be punished as is provided in section three of this act.

SEC. 39c. (3) *Penalty.* Whoever knowingly violates section one, or section two of this act, shall be fined in any sum not less than ten nor more than three hundred dollars, or imprisoned in the county jail not less than ten nor more than ninety days, or both, in the discretion of the court; *Provided,* that nothing contained in this act shall be construed to prevent the use of skimmed milk, salt rennet, or harmless coloring matter, in the manufacture of butter or cheese.—*Approved May 31, 1879. (Rev. Stat., 1901, ch. 38, p. 590.)*

SEC. 1. *Imitation butter and cheese; penalty.* *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whoever manufactures out of any oleaginous substances, or any compound of the same other than that produced from unadulterated milk or cream from the same, any article designed to take the place of butter or cheese produced from pure, unadulterated milk, or cream of the same, and shall sell, or offer for sale, the same as butter or cheese, or give to any person the same as an article of food, as butter or cheese, shall, on conviction thereof, be fined not less than twenty five dollars (\$25), nor more than two hundred dollars (\$200).

SEC. 2. *Repeal.* All acts or parts of acts inconsistent with this act are hereby repealed.—*Approved June 1, 1881. (Rev. Stat., 1901, ch. 38, p. 584.)*

SEC. 39d. (1) *Imitation butter defined.* Be it enacted by the People of the State of Illinois, represented in the General Assembly, That for the purpose of this act, every article, substitute or compound, other than [that] which is produced from pure milk or cream therefrom, made in the semblance of butter and designed to be used as a substitute for butter made from pure milk or its cream, is hereby declared to be imitation butter: *Provided*, That the use of salt and harmless coloring matter for coloring the product of pure milk or cream shall not be construed to render such product an imitation.

SEC. 39e. (2) *Coloring butter substitutes; manufacturing same.* No person shall coat, powder or color with annato or any coloring matter whatever, any substance designed as a substitute for butter, whereby such substitute or product so colored or compounded shall be made to resemble butter, the product of the dairy.

No person shall combine any animal fat or vegetable oil or other substance with butter, or combined therewith<sup>a</sup> or with animal fat or vegetable oil, or combination of the two, or with either one, any other substance or substances, for the purpose or with the effect of imparting thereto a yellow color or any shade of yellow so that such substitute shall resemble yellow or any shade of genuine yellow butter, nor introduce any such coloring matter or such substance or substances into any of the articles of which the same is composed:

*Provided*, Nothing in this act shall be construed to prohibit the use of salt, rennet and harmless coloring matter for coloring the products of pure milk or cream from the same.

No person shall, by himself, his agents or employes, produce or manufacture any substance in imitation or semblance of natural butter, nor sell, nor keep for sale, nor offer for sale any imitation butter, made or manufactured, compounded or produced in violation of this section, whether such imitation butter shall be made or produced in this State or elsewhere.

This section shall not be construed to prohibit the manufacture and sale, under the regulations hereinafter provided, of substances designed to be used as a substitute for butter and not manufactured or colored as herein provided.

SEC. 39f. (3) *Branding.* Every person who lawfully manufactures any substance designed to be used as a substitute for butter, shall mark by branding, stamping or stenciling upon the top or side of each box, tub, firkin or other package in which such article shall be kept and in which it shall be removed from the place where it is produced, in a clear and durable manner in the English language, the word "Oleomargarine," or the word "Butterine," or the words "Substitute for Butter," or the words "Imitation Butter," in printed letters in plain Roman type, each of which shall be not less than three-quarters of an inch in length.

SEC. 39g. (4) *Purchaser must be notified.* It shall be unlawful to sell or offer for sale any imitation butter without informing the purchaser thereof, or the person or persons to whom the same is offered for sale, that the substance sold or offered for sale is imitation butter.

SEC. 39h. (5) *Transportation of butter substitutes.* No person, by himself or others, shall ship, consign or forward by any common carrier, whether public or private, any substance designed to be used as a substitute for butter, unless it shall be marked or branded on each tub, box, firkin or jar, or other package containing the same, as provided in this act, and unless it be consigned by the carriers and receipted for by its true name: *Provided*, That this act shall not apply to any goods in transit between foreign states across the State of Illinois.

SEC. 39i. (6) *Possession of unmarked butter substitutes.* No person shall have in his possession or under his control any substance designed to be used as a substitute for butter, unless the tub, firkin, jar, box or other package containing the same be clearly and durably marked as provided in this act: *Provided*, That this section shall

<sup>a</sup>So in statutes.

not be deemed to apply to persons who have the same in their possession for the actual consumption of themselves [or] their families. Every person who shall have possession or control of any imitation butter for the purpose of selling the same, which is not marked as required by the provisions of this act, shall be presumed to have known during the time of such possession or control the true character and name, as fixed by this act, of such product.

SEC. 39j. (7) *Possession evidence of guilt.* Whoever shall have possession or control of any imitation butter or any substance designed to be used as a substitute for butter, contrary to the provisions of this act, for the purpose of selling the same, or offering the same for sale, shall be held to have possession of such property with intent to use it in violation of this act.

SEC. 39k. (8) *Party to sale can not prosecute.* No action shall be maintained on account of any sale or contract made in violation of, or with intent to violate, this act, by or through any person who was knowingly a party to such wrongful sale or contract.

SEC. 39l. (9) *Defacing labels.* Whoever shall deface, erase or remove any mark provided by this act, with intent to mislead, deceive, or to violate any of the provisions of this act, shall be guilty of a misdemeanor.

SEC. 39m. (10) *Penalties.* Whoever shall violate any of the provisions of this act shall be punished by a fine of not less than fifty, nor more than two hundred dollars, or by imprisonment in the county jail not to exceed sixty days for each offense, or by both fine and imprisonment, in the discretion of the court, or the fine alone may be sued for and recovered before any justice of the peace in the county where the offense shall be committed, at the instance of any person, in the name the People of the State of Illinois as plaintiff.

SEC. 39n. (11) *Prosecutions.* It is hereby made the duty of the State's attorney of each county in this State to prosecute all violations of this act upon complaint of any person, and there shall be taxed as his fees in the case the sum of ten dollars (\$10), which shall be taxed as costs in the case.—*Approved June 14, 1897. (Rev. Stat., 1901, ch. 38, p. 591.)*

SEC. 39o. (1) *Renovated butter.* *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That no person, firm, corporation, agent or employé shall manufacture, sell, offer or expose for sale, in this State any butter that is produced by taking original packing stock butter, or other butter, or both, and melting the same so that the butter fat can be drawn off or extracted, then mixing the said butter fat with skimmed milk, or milk, or cream, or other milk product, and rechurning or reworking the said mixture, or that produced by any process that is commonly known as boiled, process or renovated butter, unless the same is branded or marked as provided in section 2 of this act.

SEC. 39p. (2) *Branding of renovated butter.* No person, firm, corporation, agent or employé shall sell, offer or expose for sale, or deliver to purchaser, any boiled, process or renovated butter, as defined in section 1 of this act, unless the words "Renovated Butter" shall be plainly branded with gothic or bold faced letters at least three-fourths of an inch in length on the top and sides of each tub, or box, or pail, or other kind of a case, or package, or on the wrapper of prints or rolls in which it is put up. If such butter is exposed for sale uncovered or not in a case or package, a placard containing the label so printed shall be attached to the mass of butter in such manner as to easily be seen and read by the purchaser. The branding or marking of all packages shall be in the English language, and in a conspicuous place, so as to be easily seen and read by the purchaser.

SEC. 39q. (3) *Enforcement.* The State food commissioner and his assistants, experts and chemists, by him appointed, shall be charged with the proper enforcement of all the provisions of this act. When complaint is made by the said State food com-

missioner, his assistants, employés or chemists, or by any other person authorized by the said State food commissioner, security for costs shall not be required.

SEC. 39r. (4) *Penalty.* Whoever violates any provision of this act shall be deemed guilty of a misdemeanor, and shall for each offense, upon conviction thereof, be subject to a fine of not less than twenty-five dollars nor more than fifty dollars, or of imprisonment in the county jail for any period not to exceed six months.

SEC. 39s. (5) *Inspection.* The said Commissioner and his assistants, experts, chemists or agents shall have access and ingress to all places of business, factories, stores and buildings used for the manufacture or sale of butter. They shall also have power and authority to open any tub, box, pail or other kind of case or package containing any butter that may be manufactured, sold or exposed for sale.—*Approved Apr. 24, 1901, p. 315. (Rev. Stat., 1901, ch. 38, p. 592.)*

#### ICE.

SEC. 18. No person shall offer for sale, sell or deliver for food or drink purposes, ice, natural or manufactured, containing any decomposed, putrid, infected, tainted or rotten animal or vegetable substance or any ingredient which is poisonous or injurious to health. Ice intended for food or drink purposes shall not be composed of water of lower standard of purity than that required for domestic purposes by the State Board of Health.—*Rev. Stat., 1901, ch. 127b.*

#### VEAL.

SEC. 9r. *Be it enacted by the People of the State of Illinois, represented in the General Assembly.* That if any person kills or causes to be killed, for the purposes of sale, any immature calf or any calf less than four weeks old, or knowingly sells, or has in his possession with intent to sell, for food, the meat of any immature calf, or of any calf killed when less than four weeks old, he shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars, or by imprisonment in the county jail not exceeding thirty days, or by both fine and imprisonment; and all such meat exposed for sale, or kept with intent to sell, may be seized and destroyed by any health officer or any sheriff, deputy sheriff, constable or police officer.—*Rev. Stat., 1901, ch. 38, p. 586.*

#### VINEGAR.

SEC. 9p (1) *Imitation of cider vinegar.* *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every person who shall manufacture for sale, or shall offer or expose for sale, as cider vinegar, any vinegar not the legitimate product of pure apple juice, known as apple cider, and not made exclusively of said apple cider, shall, for each such offense, be punished by a fine of not less than twenty-five dollars (\$25), nor more than fifty dollars (\$50).

SEC. 9q. (2) *Injurious ingredients.* Every person who shall manufacture for sale, or who shall offer or expose for sale, any vinegar found upon test to contain any preparation of lead, copper, sulphuric acid or other ingredients injurious to health, shall, for each such offense, be punished by a fine of not less than one hundred dollars (\$100).—*Approved June 14, 1883. (Rev. Stat., 1901, ch. 38, p. 585.)*

SEC. 15. *Definition of cider vinegar.* No person shall manufacture for sale, offer or expose for sale, sell or deliver, or have in his possession with intent to sell or deliver, any vinegar not in compliance with the provisions of this act. No vinegar shall be sold as apple, orchard or cider vinegar which is not the product of pure apple juice, known as apple cider and apple or orchard [orchard] or cider vinegar upon test shall contain not less than one and three-fourths per cent, by weight, of cider vinegar solids upon full evaporation at the temperature of boiling water.

SEC. 16. *Vinegar to be branded.* All vinegar made by fermentation and oxidation without the intervention of distillation shall be branded with the name of the fruit or substance from which the same is made. All vinegar made wholly or in part from distilled liquor shall be branded "distilled vinegar." All fermented vinegar not distilled shall contain not less than one and one-fourth per cent, by weight, upon full evaporation (at the temperature of boiling water), of solids contained in the fruit from which said vinegar is fermented, and said vinegar shall contain not less than two and a half tenths of one per cent ash or mineral matter, the same being the product of the material from which said vinegar is manufactured. All vinegar shall be made wholly from the fruit or grain from which it purports to be or is represented to be made, shall contain no foreign substance, and shall contain not less than four per cent, by weight, of absolute acetic acid.

SEC. 17. *Vinegar containing injurious ingredients.* No person shall manufacture for sale, offer for sale or have in his possession with intent to sell, any vinegar found upon test to contain any preparation of lead, copper, sulphuric acid or other mineral acid, or other ingredients injurious to health. All packages containing vinegar shall be marked, stenciled or branded on the head of the cask, barrel or keg containing such vinegar, with the name and residence of the manufacturer or dealer, together with the brand required in Section 16 of this act.—*Approved April 24, 1899.* (*Laws 1899, p. 49; Rev. Stat. 1901, ch. 127b, p. 1696.*)

#### RULES ADOPTED BY THE STATE FOOD COMMISSION.

All milk offered for sale must be from healthy cows of clean and wholesome character, unadulterated, free from preservative, and must contain not less than 3 per cent of butter-fat.

The use of the word "Cream" on condensed milk cans is deemed *prima facie* evidence of intent to commit fraud.

So-called "evaporated cream" containing less than 15 per cent butter fat must have the words "An unsweetened condensed milk" printed conspicuously on the front part of the label.

Condensed milk must not contain less than 8.5 per cent butter fat.

Condensed skim milk must be plainly labeled as such.

Process or renovated and imitation butter must not be marked and sold as "Creamery" or "Dairy," but each should be marked plainly with its own name.

Oleomargarine, butterine and imitation butter can be manufactured and sold under their appropriate names and color when appropriately labeled. Each tub, package or parcel shall have distinctly and durably painted, stamped or marked thereon the true and appropriate name of such substance in ordinary bold-faced capital letters, not less than five lines pica.

"Whole milk" cheese, commonly miscalled "full cream" cheese, must contain at least 48 per cent of fat to total solids.

Butter shall contain at least 80 per cent of fat.

"Coffee Cream" shall contain at least 15 per cent of fat, and "whipping cream" at least 22 per cent.

The term "vinegar" is limited to water solution of acetic acid derived from alcohol by fermentation, containing not less than 4 per cent of absolute acetic acid carrying in solution, if undistilled, extractives from the fruit, grain, vegetable or syrup used in their preparation.

All vinegar must be labeled and sold under its true name as determined by its derivation. Distilled or fermented vinegar may be reduced with water to legal requirements, but one variety of vinegar shall not be fortified or reduced with another unless so labeled.

Undistilled vinegar made from an infusion of mixed grains may be labeled grain or beer vinegar. Malt vinegar must be made entirely from an infusion of malted grains.

Artificial harmless coloring matter is allowed in pure cider and malt vinegar. Colored distilled vinegar may be sold if every barrel is plainly marked "colored distilled vinegar," and if retailers paste a label with those words on every bottle.

Honey vinegar, if shown by analysis to be prepared exclusively from diluted honey, need not reach requirements in solids and ash demanded in other undistilled vinegars.

Coffee must be true in name. It must not be coated or polished to conceal inferiority. Imitations containing no coffee can not be sold as coffee compounds, but may be sold under coin names. Compounds of coffee and chicory or of coffee or any other harmless substitute allied to it in either flavor or strength and not used simply as an adulterant, may be sold when labeled "*Coffee Compound.*"

Syrup is a product of either corn or sugar cane. When made from sugar cane it is called cane syrup, when made from corn it is glucose syrup. There is little difference in the food value of these syrups. It is questionable whether or not one could be considered an adulterant of the other, as each falls within the true definition of a syrup, as both the mild Rio and the strong Mocha are each true coffees. The sale of glucose as and for cane syrup is a fraud and a violation of law. The sale of a mixture of glucose and cane syrups without other label than that of the general term "syrup" is permitted. Molasses containing glucose must be labeled glucose mixture, as the value of molasses is dependent upon a pungent flavor peculiar to itself, and not found in glucose syrups.

Maple sugar must be true to name. A compound of corn or beet sugar with maple sugar can not be sold even when labeled compound, as the chief element of value in maple sugar is the maple flavor, and any admixture of any other sugars is for the sole purpose of cheapening the article, and is a clear case of adulteration which can not be remedied by a label.

Wheat flour when mixed with corn flour may be sold when labeled "Compound Flour" or "Compound Wheat Flour."

Buckwheat flour may be mixed with other flour or self-rising ingredients not injurious to health and sold as "Compound Buckwheat Flour."

Rye flour if not absolutely pure, must be labeled "Compound Rye Flour."

Imitation jellies, fruit, butter and preserves may be colored with a harmless coloring, provided they are labeled "Imitation Jelly, colored," and free from ingredients deleterious to health.

Honey adulterated with glucose or any other substance not deleterious to health may be sold when labeled "Adulterated Honey."

Dry mustard must be pure.

Prepared mustard must be free from starch or adulterant of any kind, and, if consisting of mustard, vinegar and spices, may be sold when labeled "Prepared Mustard."

A preparation of mustard, vinegar, spices and enough filling of starch to make a mustard of mild flavor to meet a legitimate demand which undoubtedly exists, may be sold when labeled "Prepared Mustard Compound." Harmless coloring matter may be used in preparations of mustard only to secure uniformity of appearance.

All spices must be pure. Any mixture of any foreign article with any spice is an adulteration. An adulteration of spices can not be remedied by the label "Compound."

Catsups must not contain preservatives deleterious to health.

Cream of tartar must be pure. All compounds are unlawful.

Chocolate and cocoa, when made only from the cocoa mass, sugar and glycerine, may be sold under the name "Prepared Cocoa" or "Sweet Chocolate."

Candy must be free from inert mineral matters, and not made colored with substances deleterious to health.

Canned goods must be labeled with grade or quality of the goods and the name and address of the seller or manufacturer.

Artificial extracts can be manufactured and sold only in cases where it is not possible to produce an extract from the fruit itself. Extracts of this class must be labeled "Artificial Extracts."

Lemon extract shall consist of the pure oil of lemon dissolved in alcohol. Harmless coloring matter will be permitted. The sale of compound lemon extracts is prohibited.

Vanilla extract shall be made wholly from Vanilla beans, and shall contain no artificial coloring. The color of a Vanilla extract is an indication of its strength, and coloring in such case would be used for the purpose of concealing inferiority, and of making the article appear better than it really is.

When other flavoring substances are used, such as Vanillin, Coumarin or Tonka, the extract should be labeled so as to show the purchaser its true character, as "Compound Extract of Tonka and Vanillin." The label, "Compound Extract of Vanilla" will not be deemed sufficient notice of the composition of the article.

All baking powders sold in the State must be labeled in a conspicuous way and place with a name signifying the class or variety to which it belongs, based on the name of the acid ingredient; thus for example, "This is an alum baking powder; an alum phosphate baking powder; a phosphate baking powder; a cream of tartar baking powder." Potassium acid sulphite is regarded as unwholesome if not injurious and its use in any article of food is prohibited.

Whenever the words "Artificial," "Imitation," or "Compound," etc., are required, these words must be printed immediately preceding or following the word which they modify, in the same size type and equally prominent. Thus: "Imitation Current Jelly" or (colored) "Coffee Compound."

ALFRED H. JONES,  
*Illinois State Food Commissioner.*

## INDIANA.

The food laws of Indiana are administered by the State board of health with the cooperation of the local health departments of the State. In response to a letter of inquiry, Dr. J. N. Hurty, secretary of the State Board of Health, writes as follows:

We think we have a very practical and practicable food law. You will notice the law provides that the State board of health may make rules and ordinances establishing standards and prescribing adulterations. This has been sustained by the supreme court, and therefore our food law has an elasticity which does not belong to like laws in other States. No appropriation has been made for enforcing our pure-food law, and therefore nothing of moment has been done. We expect the next legislature will give us an appropriation and establish a laboratory. If this is done, enforcement will be made possible.

### GENERAL FOOD LAWS.

**5000k.** SEC. 1. *Terms "food," "drug," and "adulteration" defined and latter prohibited.* Be it enacted by the General Assembly of the State of Indiana, That no person shall, within this State, manufacture for sale, offer for sale, or sell any drug or article of food which is adulterated within the meaning of this act. The term "drug" as used in this act, shall include all medicines for internal or external use, antiseptics, disinfectants, and cosmetics. The term "food" as used herein, shall include confectionery, condiments and all articles used for food or drink by man. An article shall be deemed to be adulterated within the meaning of this act: (a) In case of drugs, (1) if when sold under or by a name recognized by the United States Pharmacopœia, it differs from the standard of strength, quality or purity laid down therein, unless the order calls for an article inferior to such standard, or unless such difference is made known or so appears to the purchaser at the time of such sale; (2) if when sold under or by a name not recognized in the United States Pharmacopœia, but which is found in some other pharmacopœia, or other standard work on materia medica, it differs materially from the standard of strength, quality, or purity laid down in such work; (3) if its strength or purity falls below the professed standard under which it is sold. (b) In the case of food, (1) if any substance or substances have been mixed with it, so as to reduce, or lower, or injuriously affect its quality or strength; (2) if any inferior or cheaper substance or substances have been substituted wholly or in part for it; (3) if any valuable constituent has been wholly or in part abstracted from it; (4) if it is an imitation of or sold under the name of another article; (5) if it consists wholly or in part of a diseased, decomposed, putrid or rotten animal or vegetable substance, whether manufactured or not, or in the case of milk, if it is the product of a diseased animal; (6) if it is colored, coated, polished or powdered, whereby damage is concealed, or if it is made to appear better or of greater value than it really is; (7) if it contains any added poisonous ingredient, or any ingredient which may render it injurious to the health of the person consuming it. The provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles of food or drink: Provided, That the same are not injurious to health, and are distinctly labeled as mixtures or compounds; and no



prosecution shall at any time be maintained under said act concerning any drug, the standard of strength or purity whereof has been raised since the issue of the last edition of the United States Pharmacopœia, unless and until such change of standard has been published throughout the State.

**50001.** SEC. 2. *Duties of Board of Health; sampling; hindering of law officers; injurious adulteration, penalties.* It shall be the duty of the State Board of Health to enforce the laws of the State governing food and drug adulteration. And the State Health Officer shall be the State inspector of foods and drugs. The State Board of Health shall take cognizance of the interests of the public health relating to the sale of drugs and foods, and the adulteration of the same, and shall make all necessary investigation and inquiries in reference thereto, and for these purposes the State, county, city and town Health Officers shall be food and drug inspectors, subordinate to the State Board of Health. Within ninety days after the passage of this act, the State Board of Health shall adopt such measures as may be necessary to facilitate the enforcement thereof, and shall prepare rules and ordinances where and when necessary regulating minimum standards for foods and drugs, defining specific adulteration and declaring the proper methods of collecting and examining drugs and articles of food. Every person offering or exposing for sale or delivering to a purchaser any drug or article of food included in the provisions of this act, shall furnish to any analyst or other officer or agent appointed hereunder, who shall apply to him for the purpose and shall tender to him the value of the same, a sample sufficient for the purpose of the analysis of any such drug or article of food which is in his possession. Whoever hinders, obstructs or in any way interferes with any inspector, analyst or other officer appointed hereunder in the performance of his duty, and whoever violates any of the provisions of this act, shall, upon conviction, be fined in any sum not exceeding \$100. Whoever fraudulently adulterates, for the purpose of sale, bread or any other substance intended for food with any substance injurious to health, or knowingly barter, gives away, sells or has in his possession with intent to sell any substance injurious to health, shall be fined in any sum not exceeding \$100, and the article so adulterated shall be forfeited and destroyed under the direction of the court. Whoever adulterates, for the purpose of sale, liquor used or intended for drink, and whoever knowingly sells any such liquor so adulterated, shall be punished by fine of not less than one hundred nor more than five hundred dollars, and the article so adulterated shall be forfeited, and destroyed according to the order of the court.—*Approved February 28, 1899. (Horner's Annotated Statutes, 1901, vol. 2.)*

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**2069.** *Diseased or unwholesome provisions.* Whoever knowingly sells, or has in his possession with intent to sell, or exposes for sale, any kind of diseased or corrupted or unwholesome provisions, whether for meat or drink; or whoever knowingly sells or exposes for sale any article or substance intended to be eaten or drunk, and shall by label or in any other way, represent it to be other than it is; or kills, for the purpose of sale, any calf less than four weeks old; or sells or has in his possession with intent to sell, the meat of any calf which he knows to have been killed when less than four weeks old,—shall be fined not more than five hundred dollars nor less than ten dollars; to which may be added imprisonment in the county jail not more than six months nor less than ten days.—*Horner's Annotated Statutes, 1901, vol. 1.*

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**2075f.** SEC. 1. *Use of antiseptics.* *Be it enacted by the General Assembly of the State of Indiana,* That it shall be unlawful for any person, firm or corporation to sell or have in his, her, their or its possession for sale, any article of food or food product

or any compound, substance, preparation or material used as a food or intended to be used as a food or food product, or used or intended to be used as an ingredient of any food or food product, or used or intended to be used in the preparation of any food or food product, containing any formaldehyde or antiseptic injurious to health, or arsenic.

**2075g.** SEC. 2. *Penalty.* Any person, firm or corporation violating the provisions of this act shall forfeit and pay for each violation the sum of one hundred (\$100.00) dollars, to be recovered in a civil action to be prosecuted by any citizen of the State of Indiana in the name of the State of Indiana on the relation of such citizen, one-half of which said one hundred (\$100.00) dollars shall go to the citizen prosecuting such action, and the remainder shall be paid over to the county in which such proceedings are had for the benefit of the common school fund.—*Approved March 11, 1901. (Horner's Annotated Statutes 1901, vol. 1.)*

#### SANITATION OF ALL FOOD-PRODUCING ESTABLISHMENTS.

**5197l.** SEC. 1. *General sanitation.* *Be it enacted by the General Assembly of the State of Indiana,* That every building, room, basement or cellar occupied or used as a bakery or confectionery, canning, packing, pickling, or preserving establishment, or for the manufacture (for sale) of any food product shall be properly heated, lighted, drained, plumbed and ventilated and conducted with a strict regard to the health of the operatives and the purity and wholesomeness of the food articles produced.

**5197m.** SEC. 2. *Cleanliness of walls, floors, etc.* The floors, side-walls, ceilings, fixtures, furniture and utensils of every establishment or place where food products are manufactured or stored, shall at all times be kept in a clean, healthful and sanitary condition.

The side-walls and ceilings of every bake room or confectionery shall be well plastered, wainscoted or ceiled with metal or lumber. Plastered walls and ceilings shall be oil painted or kept well lime washed and all interior wood work in every bakery or confectionery shall be kept well oiled or painted with oil paint and kept washed clean with soap and water. And every building room, basement, or cellar occupied or used for the manufacture of any food products shall have, if deemed necessary by the Chief Inspector an impermeable floor made of cement or tile laid in cement.

**5197n.** SEC. 3. *Inspection.* The Chief Inspector or deputy inspector of the Department of Inspection or any health officer shall have the full power at all times to enter and inspect every building, room, basement, or cellar occupied or used as aforesaid and if such inspection shall disclose a noncompliance with the purpose and provisions of this act, the Chief Inspector shall require the execution of such lawful sanitary measures or alterations in or about such premises as will conform to the requirements of this act, and secure the production of the food products thereof in a clean and wholesome condition.

**5197o.** SEC. 4. *Storage of flour and meal.* Flour and meal shall be stored in dry and well ventilated rooms only and no basement or cellar not now occupied or used as a bakery or confectionery shall hereafter be used as such except that the requirements of Section 1 of this chapter shall have been first fully complied with.

**5197p.** SEC. 5. *Quarters for employees.* The sleeping place or places for the persons employed in a bake-shop shall be separate and apart from the bake room; and no person shall be allowed to sleep in a bake room or place where flour or meal or the products thereof are stored. No domestic animal except cats shall be permitted to remain in a bake room or place used for the storage of flour or meal food products.

**5197q.** SEC. 6. *Health of employees.* No employer shall knowingly require, permit or suffer any person to work in a bakery or confectionery who is affected with con-

sumption of the lungs, or with scrofula, or with any venereal disease or with any communicable skin disease. Cuspidors shall be provided by the owner or operator for each workroom of every bakery or confectionery, and no employee or other person shall expectorate on the floor or side-walls of any bakery or confectionery or place where the manufacture of any food product is conducted.

Plain notices shall be posted where food products of any kind are produced forbidding all persons expectorating on the floors of such establishment.

**5197r. SEC. 7. Screens.** The door and window openings of every food producing establishment during fly season shall be fitted with self-closing wire screen doors and top outward-tipping wire window screens.

**5197s. SEC. 8. Washrooms, etc.** Every bakery and confectionery shall be provided with washroom and watercloset or closets but separate and apart from the bake room or rooms where the manufacture of any food product is conducted.

**5197t. SEC. 9. Penalties.** Any person who violates any of the provisions of this act or refuses to comply with any lawful requirements, of the Chief Inspector, duly made in writing shall be guilty of a misdemeanor and on conviction shall be punished for the first offense by a fine not less than ten dollars (\$10.00) or more than fifty dollars (\$50.00), for the second offense by fine of not less than fifty dollars (\$50.00) or more than one hundred dollars (\$100.00), and third offense not less than two hundred dollars (\$200.00) or by imprisonment for not more than sixty days or both fine and imprisonment.

A copy of this act shall be conspicuously posted in each workroom of every establishment effected by the provisions of this act.—*Approved February 28, 1901. (Horner's Annotated Statutes, 1901, vol. 2.)*

#### ALCOHOLIC BEVERAGES.

**2072. Adulteration of wines.** Whoever adulterates any wine made or juice expressed from grapes, by mixing therewith any drugs, chemicals, cider, whisky, or other liquor; and whoever sells or offers to sell any such adulterated wine or grape juice, knowing the same to be adulterated,—shall be fined in any sum not more than one hundred dollars nor less than ten dollars.

**2073. Adulteration of liquors.** Whoever adulterates any spirituous, malt, or other intoxicating liquor by the admixture of any deleterious substance therewith; or knowingly sells or offers for sale any such liquors which have been so adulterated, shall be fined in any sum not more than one hundred dollars nor less than ten dollars.

**2074. Use of poisons.** Whoever uses any active poison in the manufacture or preparation of any intoxicating liquor, or knowingly sells or offers for sale, in any quantity, any intoxicating liquor so manufactured or prepared, shall be imprisoned in the State prison not more than seven years nor less than one year, and fined not exceeding five hundred dollars.—*Horner's Annotated Statutes, 1901, vol. 1.*

#### CANDY.

**2075d. Adulterations.** That no person shall by himself, servant, or agent, or as the servant or agent of any other person or corporation, manufacture for sale, or knowingly sell or offer for sale any candy adulterated by the admixture of terra alba, barytes, talc or any other mineral substance, or by poisonous colors or flavors, or other ingredients deleterious or detrimental to health.

**2075e. Penalty.** Any person or corporation who violates the provisions of this act shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine not exceeding one hundred dollars (\$100) nor less than fifty dollars (\$50); and the candy so adulterated shall be confiscated and destroyed under directions of the court before whom the vendor or manufacturer is tried.—*Horner's Annotated Statutes, 1901, vol. 1.*

## DAIRY PRODUCTS.

**2071.** *Adulteration of cheese, butter and milk.* Whoever shall knowingly sell to any person or persons or sells or delivers or brings to be manufactured to any cheese or butter manufactory in this State, any milk diluted with water or in any way adulterated, or milk from which any cream has been taken, or milk commonly known as "skimmed milk;" or shall keep back any part of the milk known as "strippings" with intent to defraud; or shall knowingly sell milk, the product of a sick or diseased or injured animal or animals, or any milk produced from any cow fed upon the refuse of any distillery or brewery, or upon any substance deleterious to the quality of the milk; or shall knowingly use any poisonous or any deleterious material in the manufacture of any cheese or butter; or shall knowingly sell or offer to sell any cheese or butter in the manufacture of which any poisonous or deleterious substance has been used, shall be fined not more than five hundred dollars nor less than fifty dollars.

**2071a.** *Labeling of oleomargarine.* Whoever sells or has in his possession, with the intent to sell, or expose for sale, or whoever keeps on any table at any hotel, or at any public or private boarding house, any butter other than that made from pure milk without first labeling the same in large letters "Oleomargarine" shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined not more than fifty dollars nor less than ten dollars.—*Horner's Annotated Statutes, 1901, vol. 1.*

## MEAT.

**2070.** *Diseased animals.* Whoever kills, for the purpose of sale, any sick, diseased or injured animal, or who sells, or has in his possession with the intent to sell, the meat of any such sick or diseased or injured animal,—shall be fined not more than five hundred dollars nor less than fifty dollars, to which may be added imprisonment in the county jail not more than six months.—*Horner's Annotated Statutes, 1901, vol. 1.*

## VINEGAR.

**6607.** (1) *Addition of any foreign substances.* That every person who manufactures for sale or offers or exposes for sale as cider vinegar any vinegar not the legitimate product of pure apple juice, known as apple cider or vinegar, not made exclusively of said apple cider or vinegar, into which any foreign substances, ingredients, drugs or acids have been introduced, shall be guilty of a misdemeanor, and for each such offense shall be punished by a fine of not less than twenty-five nor more than one hundred dollars.

**6608.** (2) *Addition of injurious ingredients.* Every person who manufactures for sale, sell, or offers or exposes for sale, any vinegar found to contain any preparation of lead, copper, sulphuric acid, or other ingredients injurious to health, shall be guilty of a misdemeanor, and for each such offense shall be punished by fine of not less than ten dollars nor more than one hundred dollars.

**6609.** (3) *Handling adulterated vinegar.* No person shall, by himself, his servant or agent, or as the servant or agent of any other person, sell, exchange, deliver, or have in his custody or possession with intent to sell or exchange, or expose or offer for sale or exchange, any adulterated vinegar, or label, brand or sell as cider vinegar any vinegar not the legitimate product of pure apple juice, or not made exclusively from apple cider, and such acts are declared to be a misdemeanor, and the persons so offending shall, for each such offense, be punished by fine of not less than ten nor more than one hundred dollars.

**6610.** (4) *Coloring matter; standard acidity.* All vinegars shall be without artificial coloring matter, and shall have an acidity equivalent to the presence of not less than four per cent. by weight of absolute acetic acid, and in the case of cider vinegar shall

contain in addition not less than two per cent. by weight of cider vinegar solids upon full evaporation over boiling water; and if any vinegar contains any artificial coloring matter or less than the above amount of acidity, or in the case of cider vinegar, if it contains less than the above amount of acidity or of cider vinegar solids it shall be deemed to be adulterated within the meaning of this act. All vinegars not cider or fruit vinegar shall be without artificial coloring, nor shall they be mixed with cider or fruit vinegars, or in any manner changed to imitate a cider or fruit vinegar.

**6611.** (5) *Branding.* Every person making or manufacturing cider vinegar who is not a domestic manufacturer of cider vinegar shall brand on each head of the cask, barrel, or keg containing such vinegar the name and residence of the manufacturer, the date when same was manufactured, and the words "cider vinegar." And no vinegar shall be branded "fruit vinegar" unless the same be made wholly from apples, grapes or other fruit. Whoever violates any of the provisions of this section shall be fined, for each such offense, not less than ten dollars.—*Horner's Annotated Statutes, 1901, vol. 2.*

### RULES OF THE INDIANA STATE BOARD OF HEALTH.

[Passed October 13, 1899. These rules have been sustained by the supreme court and have all the force of law.]

#### MILK.

**RULE 1.** Pure cow's milk shall have the following minimum composition: Fat, 3 per cent.; solids, not fat, 9 per cent.

**RULE 2.** Water existing in cow's milk in excess of 88 per cent. shall be an adulteration. Any coloring matter added, for any purpose whatsoever, shall be an adulteration. Any chemical antiseptic whatever, added for any purpose whatsoever, shall be an adulteration.

**RULE 3.** Milk sold or offered for human consumption that is taken from a cow that has calved within four (4) days, or from a cow that will come in or calve inside of twenty-one (21) days, is polluted, and shall be considered as adulterated.

**RULE 4.** Milk sold or offered for human consumption that is taken from a cow fed with damaged food, or any food which will impart a disagreeable flavor, is impure, and shall be considered as adulterated.

**RULE 5.** Milk sold or offered for human consumption that is taken from any sick or diseased cow, or any cow that is given polluted water to drink, or which is kept under conditions contrary to the rules of the State Board of Health governing dairies, is impure, and shall be considered as adulterated.

#### BUTTER.

**RULE 6.** The word "butter" shall mean the substance usually known as butter, made exclusively from milk or cream, with or without salt or coloring matter, and shall contain not less than 80 per cent. of pure milk fats.

**RULE 7.** If any of the following named substances are found in butter, they shall be considered adulterants: Water in excess of 15 per cent.; salt in excess of 6 per cent.; salicylic acid, borax, boric acid, saltpeter, formaldehyde, glucose, sodium carbonate or bicarbonate, or any other added chemical, or any other fat than butter fat, any other coloring matter than is natural to butter, except annatto, saffron, safflower, turmeric and harmless coal tar colors.

#### MARGARINE.

**RULE 8.** The word "margarine" shall mean all substances, whether compounds or otherwise, prepared in imitation of butter, and whether mixed with butter or not.

**RULE 9.** If any of the following named substances are found in "margarine" they

shall be considered adulterants: Water in excess of 15 per cent.; salt in excess of 6 per cent.; glucose, paraffine, salicylic acid, borax, boric acid, saltpeter, formaldehyde, sodium carbonate or bicarbonate, or any chemical preservative. Any coloring matter or mixture of coloring matters other than annatto, saffron, safflower and turmeric and other harmless vegetable colors, and the harmless coal tar colors, shall be considered adulterants.

## CHEESE.

RULE 10. Cheese not made wholly from milk or cream, salt and harmless coloring matter shall be considered adulterated.

RULE 11. Cheese containing less than 10 per cent. of milk fats shall be considered adulterated unless plainly labeled "skim milk cheese" in letters not less than one inch long, the label to be plainly exposed.

RULE 12. Cheese containing any other fats than milk fats shall be considered adulterated unless plainly labeled "Filled Cheese."

RULE 13. Cheese containing any coloring matter other than annatto, safflower, saffron, turmeric or harmless coal tar colors, shall be considered as adulterated.

RULE 14. Cheese containing any chemical antiseptic other than common salt shall be considered as adulterated, unless plainly labeled with the name of the antiseptic it contains.

RULE 15. Any article of food, as catsup, mince meat, canned meats or fish, canned vegetables, canned soups, canned fruits, molasses or syrups, which are found to be preserved by or to contain salicylic acid, benzoic acid, boracic acid, formaldehyde or any of their compounds or any other antiseptic, shall be considered as adulterated unless the article of food so preserved is plainly labeled with the name of the preservative or antiseptic added. The label announcing any article of food, of the class in this rule named, as preserved with any antiseptic shall be printed in plain type, either upon the original or a separate label, and it shall be firmly and securely attached on the exterior of the package, and in plain sight. This rule shall be in force and take effect October 1, 1900.

RULE 16. Coffee.—Any article offered for sale as coffee, which contains any substitute for the coffee bean in any proportion, shall be considered as adulterated unless the quantity and kind of such substitute is given as part of the label.

RULE 17. Candy.—Any candy containing terra alba, barytes, talc, or other mineral substance, or poisonous colors or flavors, or any ingredient deleterious to health, shall be considered as adulterated.

RULE 18. Cider.—Cider is the unfermented juice of the apple. Any substitute for apple juice or any antiseptic added constitutes an adulteration, and such adulterated cider shall not be offered for sale unless each package is labeled and the name of the adulterant is made a part of the label.

RULE 19. Flour.—Flour is defined as the fine and bolted meal of the wheat grain. Any flour that is mixed with the product of any grain except wheat, or is mixed with any mineral substance, shall be considered as adulterated, unless each package is labeled and the kind and the amount of the admixture is made part of the label.

RULE 20. Buckwheat and Rye Flour.—Buckwheat and rye flour must be derived wholly from grains designated in the name, and any admixture of other flours or materials constitute an adulteration, unless each package is labeled and the kind and amount of such admixture is made part of the label.

RULE 21. Fruit jellies, fruit butters, preserves, canned fruits, fruit conserves, confections, fruit juices and syrups, etc., must consist of the fruit specified in the label, preserved only with cane sugar (sucrose), and must not contain artificial flavors, coloring matters or antiseptics. If such articles contain any substitute for the fruit, or any inferior material to make up bulk or weight, any glucose or other substitute

for sugar, any artificial flavor, color or antiseptic, or any substance not naturally occurring in such fruits, except spices or other wholesome natural flavoring materials, they shall be considered adulterated, and shall not be offered for sale unless the presence of all such substances is clearly indicated by the label. This rule shall be in force and take effect October 1, 1900.

**RULE 22. Honey.**—Honey is the nectar of flowers and other saccharine exudations of plants gathered by bees. Honey made by feeding bees glucose, sugar, invert sugar, or other saccharine substance, is declared not to be pure honey, and, therefore, is adulterated. Adding sugar, invert sugar or glucose to honey constitutes an adulteration, and such adulterated honey shall not be sold unless the quantity and name of the adulterant is made part of the label.

**RULE 23. Lard.**—Lard is the fat of swine, the fat being melted and separated from the flesh. Adding beef fat or stearine, cotton seed oil, paraffine or other substitute for swine fat constitutes an adulteration, and such adulterated lard shall not be sold unless labeled and the quantity and name of the adulterant is made part of the label.

**RULE 24. Molasses and Syrups.**—All molasses and syrups are assumed to be made from the juice of cane or other sugar-producing plant, or the sap of the maple tree, and any syrup or molasses containing starch sugar, glucose or corn syrup shall be considered adulterated, and any substance sold or offered for sale as "maple sugar or syrup" that shall contain any brown sugar, granulated sugar or loaf sugar or colored or flavored with decoction of hickory bark, corncobs or other similar substances, shall be considered adulterated, unless the label plainly indicates the substances used.

**RULE 25. Olive oil** is the expressed oil of the olive. The substitution of other oils or fats for olive oil, either in part or whole, constitutes an adulteration, and such adulterated oil shall not be offered for sale unless labeled with the amount and kind of the adulterant.

**RULE 26. Spices, mustard, pepper, etc.,** must not contain any foreign substances or coloring matter, introduced to dilute or cheapen the article, and any such admixture constitutes an adulteration, and shall not be sold unless its kind and amount are indicated on the label.

**RULE 27. Tea.**—Tea consists of the dried leaves of the true tea plant, without addition of artificial coloring matter, or filler, or extraction of any essential properties, and any article offered as tea which does not conform to this definition is considered adulterated, and shall not be offered for sale unless its true composition is given as part of the label.

**RULE 28. Vinegar.**—Standard vinegar is a vinegar made from the juice of the apple, containing not less than 2 per cent. of apple solids and 4 per cent. acetic acid. All vinegars labeled "apple," "cider," "fruit" or "orchard" vinegars are assumed under the law to be standard vinegars. Vinegars not made of the juice of the apple must be labeled truly of what they are made, as "malt vinegar," "distilled vinegar" or "wine vinegar." Otherwise they are to be considered adulterated. If artificial coloring matter is used, this must be stated on each and every label. Vinegars to which other acids than acetic acid have been added are adulterated. Vinegars containing less than 4 per cent. absolute acetic acid may be sold, provided the percentage of acetic acid is made part of the label.

**RULE 29. Baking Powders.**—It shall be unlawful for any unwholesome or deleterious baking powder to be sold or offered for sale within the State of Indiana.

**RULE 30. Wines, Brandies, Whiskeys.**—The standards and methods of examination of the United States Pharmacopœia governing wines, brandies and whiskeys shall be the standards and methods of examination of wines, brandies and whiskeys in the State of Indiana.

RULE 31. Food Inspectors, when securing samples of food or drugs for analysis, shall, if the quantity procured be sufficient in amount, divide said sample into three equal parts, marking each one with date of collection, name and residence of vendor, name and residence of Inspector, and shall number the several portions 1, 2, 3. No. 1 shall be left with the vendor, No. 2 retained by the Inspector, and No. 3 reserved for or sent to the chemist selected to make the analysis. All these samples or portions shall be so sealed as to show upon sight any breaking of said seal.

RULE 32. Whoever violates any of the provisions of these rules shall, upon conviction, be fined in any sum not exceeding one hundred dollars, as is provided in section 2, Chapter CXXI, of an act approved February 28, 1899. (See p. 110.)



## IOWA.

The dairy commissioner is charged with the enforcement of all laws relating to dairy products. No provision is made for the administration of other food laws.

Mr. H. R. Wright, the dairy commissioner, who revised the proof sheets of the Iowa laws for this bulletin, writes: "We need a more extended food law in this State and a statute giving the dairy commissioner or some appropriate officer authority and responsibility for the enforcement of the same."

### GENERAL FOOD LAWS.

**4976. Sale of poison without label.** If any apothecary, druggist, or other person deliver to another any arsenic, corrosive sublimate, prussic acid or other poisonous liquid or substance without having the word "poison" and the true name thereof written or printed upon a label attached to or affixed upon the vial, box or parcel containing the same, he shall be guilty of a misdemeanor.

**4980. Drugged liquors.** If any person wilfully sell or keep for sale intoxicating, malt or vinous liquors, which have been adulterated or drugged by admixture with any deleterious or poisonous substance, he shall be fined not exceeding five hundred dollars, or be imprisoned in the penitentiary not exceeding two years.

**4981. Unwholesome provisions.** If any person knowingly sell any kind of diseased, corrupted or unwholesome provisions, whether for meat or drink, without making the nature and condition of the same fully known to the buyer, he shall be imprisoned in the county jail not more than thirty days, or be fined not exceeding one hundred dollars.

**4982. Adulterating food or liquors.** If any person adulterate for the purpose of sale any substance intended for food, or any wine, spirituous, malt or other liquor intended for drinking, he shall be imprisoned in the county jail not more than one year, or be fined not exceeding three hundred dollars, and the articles so adulterated destroyed.

**4983. Drugs or medicines.** If any person adulterate for the purpose of sale any drug or medicine, in such a manner as to lessen the efficacy or change the operation of such drug or medicine, or to make it injurious to health, or sell it knowing that it is thus adulterated, he shall be imprisoned in the county jail not exceeding one year, or be fined not exceeding five hundred dollars, and such adulterated drugs and medicines destroyed.

**4984. Other adulteration.** No person shall mix, color, stain or powder, or order or permit any other person to mix, color, stain or powder, any article of food or confections with any ingredient or material so as to render the article injurious to health, with the intent that the same may be sold, and no person shall sell or offer for sale any such articles.

**4985. Injurious or fraudulent adulteration of drugs.** No person shall, except for the purpose of compounding in the necessary preparation of medicine, mix, color, stain or powder, or permit any other person to mix, color, stain or powder any drug or

medicine with any ingredients or materials, so as to affect injuriously the quality or potency of such drug or medicine, with the intent to sell the same, or shall offer for sale any such drug or medicine.

**4986. Labeling.** No person shall mix, color, stain or powder any article of food, drink or medicine, or any article which enters into the composition of food, drink or medicine, with any other ingredient or material, whether injurious to health or not, for the purpose of gain or profit, or sell or offer for sale the same, or order or permit any other person to sell or offer for sale any article so mixed, colored, stained or powdered, unless the same be so manufactured, used or sold or offered for sale, under its true and appropriate name, and notice that the same is mixed or impure is marked, printed or stamped upon each package, roll, parcel or vessel containing the same, so as to be and remain at all times readily visible, or unless the person purchasing the same is fully informed by the seller of the true names of the ingredients (if other than such as are known by the common name thereof) of such articles at the time of making the sale thereof or offering to sell the same; but nothing in this section shall prevent the use of harmless coloring material used in coloring butter and cheese.

**4987. Glucose; skimmed-milk cheese; oleomargarine.** No person shall mix any glucose or grape sugar with syrup or sugar intended for human food, or shall mix or mingle any glucose or grape sugar with any article, without distinctly marking, stamping or labeling the article or the package containing the same with the true and appropriate name of such article, and the percentage in which glucose or grape sugar enters into its composition. Nor shall any person sell or offer for sale, or permit to be sold or offered for sale, any such food, into the composition of which glucose or grape sugar has entered, without at the same time informing the buyer of the fact, and the proportion in which glucose or grape sugar has entered into the composition.

**4988. Penalty.** Any person violating any provision of the four preceding sections shall, for the first offense, be fined not less than ten nor more than fifty dollars; for the second offense, not less than twenty-five nor more than one hundred dollars, or imprisoned in the county jail for not more than thirty days; for the third or any subsequent offense, not less than five hundred nor more than one thousand dollars, and imprisoned in the penitentiary not less than one nor more than five years.—*Code 1897, pp. 1950-1952.*

#### CANNED GOODS.

**4994. Canned food—label.** It shall be unlawful for any packer or dealer in hermetically sealed, canned or preserved fruits, vegetables or other articles of food, not including canned or condensed milk or cream, to knowingly offer such canned or preserved articles for sale for consumption in this State, unless the cans or jars which contain the same shall bear the name, address and place of business of the person, firm or corporation that canned or packed the articles so offered, or the name of the wholesale dealer in the State who sells or offers the same for sale, together, in all cases, with the name of the State, city, town or village, where the same were packed plainly written thereon, preceded by the words "packed at." Such name, address and place of business shall be plainly printed on the label, together with a mark or term indicating clearly the grade or quality of the articles contained therein.

**4995. Soaked goods.** All packers of and dealers in soaked goods, or goods put up from products dried or cured before canning, shall, in addition to complying with the provisions of the preceding section, cause to be plainly branded on the face of the label in legible type, one-half of an inch in height and three-eighths of an inch in width, the word "soaked."

**4996. Penalty.** Any packer or dealer who shall violate any of the provisions of the two preceding sections shall be fined not more than fifty dollars for each offense in the case of retail dealers, and in case of wholesale dealers or packers, not less than five hundred nor more than one thousand dollars for each offense.

**4997.** "*Packer*" or "*dealer*" defined. The terms "packer" and "dealer," as used in the three preceding sections, shall include any firm or corporation doing business as a dealer in or packer of the articles mentioned therein.

**4998.** *Information by board of health.* It shall be the duty of any board of health, cognizant of any violation of the provisions of the four preceding sections, to inform the county attorney, whose duty it shall be to institute proceedings against any person who is charged with a violation of such provisions, and in case of a conviction he shall receive 25 per cent of the fines actually collected in addition to any salary otherwise provided for.—*Code 1897, pp. 1953-1954.*

#### CANDY.

**4984a.** (1) *Addition of injurious ingredients.* That no person shall, by himself, his servant or agent, or as the servant or agent of any other person or corporation, manufacture for sale, or knowingly sell or offer to sell any candy adulterated by the admixture of terra alba, barytes, tale or any other mineral substance, by poisonous colors or flavors, or other ingredients, deleterious or detrimental to health.

**4984b.** (2) *Penalty.* Whoever violates any of the provisions of this act shall be punished by a fine not exceeding one hundred dollars (\$100.00) nor less than fifty dollars (\$50.00). The candy so adulterated shall be forfeited and destroyed under the direction of the court.—*Approved March 28, 1898. (Laws, 1898, ch. 112, p. 60; Supplement to Code, 1902, p. 541.)*

#### DAIRY PRODUCTS.

**2515.** *Appointment of dairy commissioner; milk tests; records.* On or before the first day of April of each even-numbered year the governor shall appoint a dairy commissioner, who shall have a practical knowledge of and experience in the manufacture of dairy products and hold his office for two years from the first day of May following his appointment, and until his successor is appointed and qualified, subject to removal by the governor for inefficiency, neglect, or violation of duty. He shall give bond in the sum of ten thousand dollars, conditioned for the faithful performance of his duties, with sureties to be approved by and filed with the secretary of state. He shall keep on hand a supply of standard test tubes or bottles and milk measures or pipettes adapted for use by each milk testing machine, the manufacturers or dealers of which have filed with the dairy commissioner a certificate from the director of the Iowa agricultural experiment station, which shall certify that said milk testing machine, when properly and correctly operated, will produce accurate measurements of butter fat and furnish to any person or corporation desiring the same for testing milk one such tube or bottle, and such milk measure or pipette for each factory, of the kind adapted for the machine operated therein, upon request therefor, certifying it to be accurate, reliable and standard, placing thereon the letters "D. C." as a permanent mark, the tubes or bottles and pipettes to be furnished at the actual cost thereof. He shall have and keep an office in the capitol, and preserve therein all correspondence, documents, records and property of the state pertaining thereto, and may, when necessary, employ an office deputy at a salary of ten hundred dollars per year; the dairy commissioner may also appoint, upon the recommendation of the president of the Iowa State college of agriculture and mechanic arts, the director of the Iowa experiment station and the professor of dairying, one assistant, who shall perform such duties as may be assigned to him by the dairy commissioner, and who shall receive a salary of ten hundred dollars per year, and said deputy and assistant of the dairy commissioner shall be allowed, in addition to their salaries, actual and necessary traveling expenses when in the performance of their official duties, said expenses to be itemized, verified under oath, and when audited and approved by the executive council to be paid upon warrants of the State auditor

upon the State treasurer, provided, that such expenditures shall not exceed the appropriation made for the dairy commissioner's office. During his term of office he shall hold no other official position nor any professorship in any state educational institution, and on or before the first day of November shall make annual report to the governor, which shall contain a detailed account of all his doings as commissioner, and the receipts and disbursements of his office since the preceding report, with such facts and statistics in regard to the production, manufacture and sale of dairy products, with such suggestions as he may regard of public importance connected therewith. In the conduct of his office, he shall have power to issue subpoenas for witnesses, enforce their attendance, and examine them under oath by him to be administered, such witnesses to be allowed fees as in justices' courts, to be paid by the commissioner as part of the expenses of his office, and do such other acts and things as are necessary and proper in the enforcement of the provisions of this chapter.—*As amended by General Acts, 1900, ch. 85, sec. 1; Supplement to Code, 1902, p. 261.*

**2516. Imitation cheese or butter defined.** Every article, substitute or compound, save that produced from pure milk or cream from milk of cows, made in the semblance of or designed to be used for and in the place of butter, is imitation butter, and every article, substitute or compound, save that produced from pure milk or cream from milk of cows, made in the semblance of or designed to be used for and in the place of cheese, is imitation cheese. No one shall manufacture, have in his possession, offer to sell or sell, solicit or take orders for delivery, ship, consign or forward by any common carrier, public or private, and no common carrier shall knowingly receive or transport any such imitation butter or cheese, except in the manner and subject to the regulations in this chapter provided.

**2517. Labeling of butter and cheese substitutes.** A substitute for butter and cheese not having a yellow color nor colored in imitation of butter and cheese as prohibited in the next section, may be manufactured, kept in possession, offered for sale, sold, shipped, consigned or forwarded by common carriers, public or private, if each tub, firkin, box or other package in which the same is kept, offered for sale, sold, shipped, consigned or forwarded shall have branded, stamped or marked on the side or top thereof in the English language, in a durable manner, the words, "Substitute for butter" or "Substitute for cheese," as the case may be, the letters of the words to be not less than one inch in length by one-half inch in width. The defacing, erasure, canceling or removal of this brand or mark, with intent to mislead, deceive, or violate any provision of this chapter, is prohibited. Such substitute for butter or cheese may be kept, used or served as a food or for cooking in hotels, restaurants, lunch counters, boarding houses or other places of public entertainment only in case the proprietor or person in charge of such place shall display and keep constantly posted a card opposite each table or other place where the guests or others are served with the same, which card shall be white, at least ten or fourteen inches in size, the words, "Substitute for butter used here," or "Substitute for cheese used here," as the case may be, printed in black Roman letters of the same size as herein required to be placed upon the tubs, firkins, boxes or other package in which substitute for butter or cheese is kept, and no other words or figures shall be printed thereon. No substitute for butter or cheese shall be offered for sale in the manufacturer's original package under the name of or for true butter or cheese made from the milk or cream of cows, nor shall any substitute for butter or cheese be offered for sale or sold unless the purchaser at the time was informed thereof, and, in addition, furnished with a statement in the English language in prominent type that the substance sold is such substitute, and giving the name and place of business of the maker. Nothing herein contained, however, shall be so construed as to prohibit the transportation of imitation butter or cheese through and across the state.

**2518. Coloring of butter or cheese substitutes.** No one shall color with any matter whatever any substance intended as a substitute for butter or cheese, so as to cause

it to resemble true dairy products, or combine any animal fat, vegetable oil or other substance with butter or cheese, or combine with any substance whatever, intended as a substitute for butter or cheese, anything of any kind or nature for the purpose or with the effect of imparting to the compound the color of yellow butter or cheese, the product of the milk or cream from cows, or use, solicit orders for delivery, keep for sale or sell any such substance so colored and disguised as a substitute for butter or cheese; but nothing in this chapter shall be construed to prohibit the use of salt, rennet, or harmless coloring matter in making butter or cheese from such milk or cream.

**2519.** *Possession of unbranded butter or cheese substitutes.* No one shall have in his possession or under his control, except for the actual consumption of himself or family, any substance designed as a substitute for butter or cheese, unless the tub, firkin, box or package holding the same is branded or marked as in this chapter required. Any person having in his possession or under his control such substance, not so branded or marked, shall be presumed to know its true character and name.

**2520.** *Prosecution by a party to the fraud.* No action shall be maintained in any of the courts of the state upon any contract or sale made in violation of or with the intent to violate any provision of this chapter by one who was knowingly a party thereto.

**2521.** *Prosecutions; sampling and analysis.* Whoever shall have in possession or control any imitation butter or cheese, or any substance designed to be used as a substitute for butter or cheese contrary to the provisions of this chapter, shall be held to have possession of property with intent to use it as a means of committing a public offense, and all the provisions of the chapter relating to search warrants and proceedings thereon shall apply, except the officer serving the warrant, in addition to his duties as therein required shall deliver to the dairy commissioner, or to a person by him authorized in writing to receive the same, a perfect sample of each article seized by virtue of such warrant, for the purpose of having the same analyzed, and forthwith return to the person from whom it was taken the remainder of each article seized. If any sample is found to be imitation butter or cheese, or substance designed to be used as a substitute for butter or cheese, it shall be returned to and retained by the magistrate for the purposes contemplated in said chapter on "search warrants and proceedings thereon," but if any sample be found not imitation butter or cheese, or a substance designed to be used as a substitute therefor, the value of the same shall be paid by the dairy commissioner as part of the expenses of his office, to the person from whom it was taken.

**2522.** *Sanitation of creameries, butter factories, etc.; reports.* Every city milk dealer, or every person furnishing milk or cream to such dealer, or the employe of such milk dealer, and every person or corporation, or the employe of such person or corporation, who operates a creamery, cheese or condensed milk factory, or re-works or packs butter, shall maintain his premises and utensils in a clean and hygienic condition, and shall make, upon blanks furnished by the dairy commissioner, such reports and statistics as may be required for the purpose of compiling statistics authorized by this chapter, and such dealer, owner, operator or business manager shall make such returns and reports within thirty days after receiving the proper blank form from the dairy commissioner and shall certify to the correctness thereof. Whoever shall violate any provision of this section shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, or by imprisonment in the county jail for not more than thirty days.—*As amended by General Acts, 1902, ch. 102, sec. 1; Supplement to Code, 1902, p. 261.*

**2523.** *Milk tests in creameries, factories, etc.* Any person or corporation, or the employe of such person or corporation, who operates a creamery or cheese or condensed milk factory, and uses a chemical milk test to determine the quantity of butter fat in milk purchased, used or received, shall so use only such tests as shall

be clear oil,<sup>a</sup> free from any foreign substance, and produce correct measurements of butter fat, and every such person or corporation using a milk test shall procure from the dairy commissioner for each factory so operated one standard tube or bottle, and one standard measure or pipette, for testing milk, certified and marked by him as in this chapter provided, which shall be kept for inspection by the patrons and used by such person or corporation in testing or verifying test tubes or bottles and milk measures or pipettes used. In any action arising between any such operator and patron, the burden of establishing the use of reliable tests and the results therefrom, equivalent to the standard herein provided, shall be upon the operator.

**2524.** *City agents to collect milk samples.* The commissioner may appoint agents in any city having over ten thousand inhabitants to collect from each dealer, not more than four times each month, samples of milk offered for sale therein. The agent shall make an accurate test of each sample received by him, and keep a true record thereof, with the name and location of the person from whom it was obtained, and report his work in detail to the commissioner, the compensation therefor not to exceed three dollars for each day actually employed therein.

**2525.** *Permits for milk dealers.* Any person or corporation who shall sell milk or cream from a wagon, depot or store, or sell or deliver milk or cream to a hotel or restaurant or boarding house, or any public place in any such city, shall be considered a city milk dealer. No such city milk dealer shall sell milk or cream from a wagon, depot or store in any such city without a written permit from the commissioner for each wagon, depot or store operated by him, for which he shall pay annually one dollar. All permits shall expire on the fourth day of July of each year, and no permit shall be issued for less than one dollar.

**2526.** *Inspection and sampling of milk; interference.* He or his agent may open any can or vessel containing milk or cream offered for sale in such city, and inspect its contents and take samples therefrom for testing or analysis. And any city milk dealer, or employe of such milk dealer, or any other person who shall resist or interfere with the commissioner or his agent in the performance of his duties in executing any of the requirements of this chapter, shall be guilty of a misdemeanor and punished as provided in this chapter.

**2527.** *Penalty.* Whoever shall violate any provision of this chapter shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment, at the discretion of the court.

**2528.** *Salary and expenses of commissioner.* The commissioner shall be allowed necessary postage, stationery and office supplies, and shall receive an annual salary of one thousand five hundred dollars, and necessary expenses, which shall not exceed three thousand dollars per year; such expenses to be itemized, verified by him, and, when examined and approved by the executive council, to be paid upon a warrant of the state auditor drawn upon the state treasurer. The salary of the clerk shall be paid in the same manner.—*Code 1897, pp. 879-883.*

**4989.** *Sale of impure or skimmed milk; skimmed-milk cheese; labeling.* If any person shall sell, exchange, or expose for sale or exchange, or deliver or bring to another, for domestic or potable use, or to be converted into any product of human food, any unclean, impure, unhealthy, adulterated, unwholesome or skimmed milk, or milk from which has been held back what is commonly known as strippings, or milk taken from an animal having disease, sickness, ulcers, abscess or running sore, or which has been taken from an animal within fifteen days before or five days after parturition; or if any person, having cows for the purpose of producing milk or cream

<sup>a</sup>So in statutes.

for sale, shall stable them in an unhealthy place or crowded manner, or shall knowingly feed them food which produces impure, unwholesome milk, or shall feed them distilled glucose or brewery waste in any state of fermentation, or upon any substance in a state of putrefaction or rottenness or of an unhealthy nature, or shall sell or offer for sale cream which has been taken from milk the sale of which has been prohibited, or who shall sell or offer for sale, as cream, an article, which shall contain less than the amount of butter-fat as prescribed in this chapter; or if any person shall sell or offer for sale any cheese manufactured from skimmed milk, or from milk that is partly skimmed, without the same being plainly branded, stamped or marked on the side or top of both cheese and package, in a durable manner, in the English language, the words "Skimmed-milk cheese," the letters of the words to be not less than one inch in height and one-half inch in width, he shall be fined not less than \$25 nor more than \$100, and shall be liable for double damages to the person or persons upon whom such fraud shall be committed; but the provisions of this section shall not apply to skimmed milk when sold as such and in the manner and subject to the regulations prescribed in this chapter.

**4990.** *Adulterated or impure milk defined.* For the purposes of this chapter, the addition of water or any other substance or thing to whole milk or skimmed milk or partially skimmed milk is hereby declared an adulteration, and milk which is obtained from animals fed upon waste as defined in this chapter, or upon any substance of an unhealthy nature, is hereby declared to be impure and unwholesome; and milk which is proved by any reliable method of test or analysis to contain less than 12½ per cent. of milk solids to the 100 pounds of milk, or than three pounds of butter fat to 100 pounds of milk, shall be regarded as skimmed or partially skimmed milk, and every article not containing 15 per cent. or more of butter fat shall not be regarded as cream.

**4991.** *Enforcement.* It is hereby made the duty of the dairy commissioner to enforce the provisions of the two preceding sections.—*Code, 1897, pp. 1952-1953.*

#### LARD.

**4992.** *Lard from diseased hogs.* All persons or associations that engage in the business of selling lard rendered from swine that have died of disease shall, before selling or offering to sell any such lard, plainly stamp, print or write upon the cask, barrel or other vessel containing it the words, "Lard from hogs which have died of disease;" or, if sold without such cask, barrel or other receptacles, the purchaser shall be informed that the lard is from hogs which have died of disease. For a violation of the provisions of this section he shall be fined not less than five nor exceeding one hundred dollars, or imprisoned in the county jail not exceeding thirty days.

**4993.** *Compound lard-labeling.* No manufacturer or other person shall sell, deliver, prepare, put up, expose or offer for sale any lard, or any article intended for use as lard, which contains any ingredient but the pure fat of healthy swine in any tierce, bucket, pail, package or other vessel or wrapper, or under any label bearing the words "pure," "refined," "family" or either of said words alone or in combination with other words of like import, unless every tierce, bucket, pail, package or vessel, wrapper or label in or under which said article is sold, delivered, prepared, put up, exposed or offered for sale bears on the top or outside thereof, in letters not less than one-half inch in length, and plainly exposed to view, the words, "compound lard," and the name and proportion in pound and fractional parts thereof of each ingredient contained therein. Any person violating the provisions of this section shall be fined, for the first offense not less than twenty nor more than fifty dollars, and for each subsequent offense not less than fifty nor more than one hundred dollars.—*Code, 1897, p. 1953.*

## KANSAS.

The State has no officer charged with the administration of its food laws.

### GENERAL FOOD LAWS.

**2277.** *Diseased and unwholesome provisions.* If any person shall knowingly sell any diseased, corrupt or unwholesome provisions, whether for meat or drink, without making the same fully known to the buyer, he shall be punished by imprisonment in the county jail not more than six months, or by fine not exceeding one hundred dollars.

**2278.** *Adulteration of food or liquor.* If any person shall fraudulently adulterate, for the purpose of sale, any substance intended for food, or any wine, spirit, malt liquor, or other liquor intended for drinking, with any substance injurious to health, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding three hundred dollars; and the article so adulterated shall be forfeited and destroyed.

**2279.** *Drugs.* If any person shall fraudulently adulterate, for the purpose of sale, any drug or medicine, in such a manner as to render the same injurious to health, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding three hundred dollars; and such adulterated drugs and medicines shall be forfeited and destroyed.—*Gen. Stat., 1901, ch. 31, art. 9, p. 481.*

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**2323.** *Adulteration of food and drugs.* No person shall within this state manufacture for sale, offer for sale, or sell, any drug or article of food which is adulterated within the meaning of this act.

**2324.** *Terms "drug" and "food" defined.* The term "drug" as used in this act shall include all medicines for internal use, antiseptics, disinfectants, and cosmetics. The term "food" as used herein shall include all articles used for food or drink by man, whether simple, mixed or compound.

**2325.** *Adulteration defined.* An article shall be deemed to be adulterated within the meaning of this act—First, in case of drugs, if, when sold under or by a name recognized in the United States Pharmacopœia, it differs from the standard of strength, quality or purity laid down therein; second, if, when sold under or by a name not recognized in the United States Pharmacopœia, or other standard work of materia medica, it differs materially from the standard of strength, quality or purity laid down in such work; third, if its strength, quality or purity falls below the professed standard under which it is sold. In the case of food: First, if any substance or substances have been mixed with it so as to lower or depreciate or injuriously affect its quality, strength, or purity; second, if any inferior or cheaper substance or substances have been substituted wholly or in part of it; third, if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; fourth, if it is an imitation of or is sold under the name of another article; fifth, if it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted, or rotten animal or vegetable substance or article, whether manufactured or not, or in the case



of milk, if it is the produce of a diseased animal; sixth, if it is colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is; seventh, if it contains any added substance or ingredient which is poisonous or injurious to health, or any deleterious substance not a necessary ingredient in its manufacture: Provided, That the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles of food, if the same be distinctly labeled as mixtures or compounds, and are not injurious to health, and contain no ingredients not necessary to the preparation of a genuine article of such mixtures or compounds, and from which no necessary ingredient in its preparation is eliminated.

**2326. Sample for analysis.** Every person manufacturing, offering or exposing for sale, or delivering to a purchaser, any drug or article included in the provisions of this act, shall furnish to any person interested or demanding the same, who shall apply to him for the purpose, and shall tender him the value of the same, a sample sufficient for analysis of any such drug or article of food which is in his possession.

**2327. Penalty.** Whoever refuses to comply upon demand with the requirements of section four (2326), or whoever violates any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding one hundred nor less than twenty-five dollars, or imprisonment<sup>a</sup> not exceeding one hundred days nor less than thirty days, or both. And any person found guilty of manufacturing, offering for sale, or selling any adulterated article of food or drug under the provisions of this act shall be adjudged to pay, in addition to the penalties hereinbefore provided for, all necessary costs and expenses incurred in inspecting and analyzing such adulterated articles of which said person may have been guilty of manufacturing, selling, or offering for sale.—*Gen. Stat., 1901, ch. 31, art. 11, p. 487.*

#### DAIRY PRODUCTS.

**2317. Diluted or unclean milk in cheese factories.** Whoever shall knowingly sell, supply or bring to be manufactured to any cheese manufactory in this state any milk diluted with water or in any way adulterated, or milk from which any cream has been taken, or milk commonly known as skim-milk; or whoever shall keep back any part of the milk known as "strippings;" or whoever shall knowingly bring or supply milk to any cheese manufactory that is tainted or partly sour from want of proper care in keeping pails, strainers, or any vessel in which said milk is kept clean and sweet, after being notified of such taint or carelessness; or any cheese manufacturer who shall knowingly use, or direct any of his employes to use, for his or their individual benefit, any cream from the milk brought to said cheese or butter manufacturers, without the consent of all the owners thereof, shall for each and every offense forfeit and pay a sum not less than twenty-five dollars nor more than one hundred dollars, with costs, to be recovered in a criminal action.

**2318. Adulterated milk in butter or cheese factories.** That whoever shall knowingly sell to any person or persons, or sell, deliver or bring to be manufactured to any cheese or butter manufactory in this state any milk diluted with water or in any way adulterated, or milk from which any cream has been taken, or milk commonly known as skimmed milk, or shall keep back any part of milk known as strippings, with intent to defraud, or shall knowingly sell milk the product of a diseased animal or animals, or shall knowingly use any poisonous or deleterious material in the manufacture of cheese or butter, shall upon conviction thereof be fined in a sum not less than twenty-five dollars nor more than one hundred dollars, and liable in double the amount of damages to the person or persons, firm, association or corporation upon whom such fraud shall be committed.—*Gen. Stat., 1901, ch. 31, art. 11, p. 487.*

<sup>a</sup> So in statutes.

## VINEGAR.

**2319.** *Adulteration of cider vinegar.* Every person who manufactures for sale or exposes for sale as cider vinegar, any vinegar not the product of pure apple juice known as apple cider, or vinegar not made exclusively of apple cider, or vinegar into which any deleterious substances, drugs or acids have been introduced, shall for each offense be punished by a fine of not less than fifty nor more than one hundred dollars.

**2320.** *Injurious ingredients.* Every person who manufactures for sale, sells or offers for sale any vinegar which contains any preparation of lead, copper, sulphuric acid, or other ingredient injurious to health, shall for each such offense be punished by fine of not less than fifty nor more than one hundred dollars.

**2321.** *Vinegar used for preserving vegetables, &c.* The provisions of sections one and two (2319 and 2320) shall apply to all preparations of vegetables, fruits and other products, in which vinegar is one of the principal ingredients.

**2322.** *Branding of cider vinegar.* Every person making or manufacturing cider vinegar shall brand on one head of the cask, barrel, or keg containing such cider vinegar the name and residence of the manufacturer, and the words cider vinegar; and any person or manufacturer who brands any cask, barrel, keg, or other vessel with the name of cider vinegar which contains any liquid other than pure cider vinegar, shall upon conviction be fined not less than fifty nor more than one hundred dollars for each barrel, cask, keg, or other vessel so branded.—*Gen. Stat., 1901, ch. 31, art. 11, p. 487.*

## KENTUCKY.

The food laws are administered by the director of the State experiment station at Lexington.

### GENERAL FOOD LAWS.

SEC. 1. *Adulterated or misbranded foods; penalty.* It shall be unlawful for any person, persons or corporation within this State to manufacture for sale, or expose for sale, or have in his or their possession for sale, or to sell any article of food which is adulterated or misbranded within the meaning of this act; and any person, persons or corporation, who shall manufacture for sale, expose for sale, or have in his or their possession for sale, or sell any article of food which is adulterated or misbranded in violation of this act, shall be fined not to exceed one hundred dollars, or be imprisoned for not more than fifty days, or both such fine and imprisonment.

SEC. 2. *Terms "food" and "misbranded" defined.* The term food, as used in this act, shall include every article used for, or entering into the composition of, food or drink of man or domestic animals, except spirituous, vinous or malt liquors.

The term misbranded, as used in this act, shall include every article of food, and every article which enters into the composition of food, the package or label of which shall bear any statement purporting to name any ingredient or substance as not being contained in such article which statement shall be untrue in any particular; or any statement purporting to name the substance or substances of which such article is made, which statement shall not give fully the names of all substances contained in such articles in any measurable quantity.

SEC. 3. *Adulteration defined.* For the purpose of this Act, an article shall be deemed adulterated:

First. If any substance or substances be mixed or packed with it so as to reduce or lower or injuriously affect its quality or strength;

Second. If any inferior substance or substances be substituted wholly or in part for the article;

Third. If any valuable constituent of the article has been wholly or in part abstracted;

Fourth. If it be an imitation, or sold under the name of another article; provided that nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine, butterine, or kindred compounds in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like butter;

Fifth. If it is colored, coated, polished or powdered, whereby damage is concealed, or if it is made to appear better or of greater value than it is;

Sixth. If it contains poisonous ingredients which may render such article injurious to the health of the party consuming it, or if it contains any antiseptic or preservative not evident or not known to the purchaser or consumer.

Seventh. If it consists in whole or in part of a diseased, filthy or decomposed or putrid substance, either animal or vegetable, unfit for food, whether manufactured or not, or if it is in any part the product of a diseased animal, or of any animal that has died otherwise than by slaughter.

Eighth. If it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or is an imitation either in package or label of another substance of a previously established name.

Provided, That any articles of food which are adulterated or misbranded within the meaning of this act, but which do not contain any added poisonous or deleterious ingredient, may be manufactured or sold if the same shall be plainly labeled "adulterated," or labeled, branded or tagged so as to show the exact character thereof.

Provided further, That nothing in this act shall be so construed as requiring or compelling proprietors or manufacturers or sellers of proprietary foods which contain no unwholesome substances to disclose their trade formulas, except so far as the provisions of this act require to secure freedom from adulteration or imitation, but in the case of baking powders every can or other package shall be labeled so as to show clearly what acid salt has been used in making the same.

Provided further, That no dealer shall be convicted under the provisions of this act when he can establish a written guaranty of purity in a form approved by the Director of the Kentucky Agricultural Experiment Station, signed by the wholesaler, jobber, manufacturer or other party from whom he purchased said articles, and provided he establishes that such guarantor or guarantors reside in the State of Kentucky. But said guaranty to afford protection shall contain the full name and address of the party or parties making the sale of such article to such dealer.

SEC. 4. *Duties of director of experiment station; analyses; sampling; standards.* The Director of the Kentucky Agricultural Experiment Station shall make or cause to be made examinations of samples of food manufactured or on sale in Kentucky at such time and place and to such extent as he may determine. He shall also make or cause to be made analyses of all food products which the State Board of Health may suspect of being injurious to health, and of any sample of food furnished by any Commonwealth's, county or city attorney of this Commonwealth. And the said Director may appoint such agent or agents as he may deem necessary, who shall have free access at all reasonable hours for the purpose of examining into places wherein it is suspected any adulterated article of food exists, and such agent or agents upon tendering the market price of such articles, may take from any person, firm or corporation, samples of any articles suspected of being adulterated or misbranded. The Director of said Station is hereby empowered to adopt and fix standards of purity, quality or strength, when such standards are not specified or fixed by statute.

SEC. 5. *Prosecutions.* Whenever any sample shall have been examined and found to be adulterated or misbranded in violation of this act, the Director shall certify the facts to the Commonwealth's attorney of the district, or to the county attorney of the county, or city attorney of any city or town in which the said adulterated or misbranded food product was found; together with a statement of the results of the examination of the said article of food duly authenticated by the analyst under oath and taken before some officer of this Commonwealth authorized to administer an oath having a seal. And it shall be the duty of every prosecuting attorney, county attorney and city attorney to whom the Director of said Station shall report any violation of this act, to cause proceedings to be commenced against the party so violating the act, and the same prosecuted in manner as required by law.

SEC. 6. *Annual food report by station.* Said Station shall make an annual report to the Governor upon adulterated food products, in addition to the reports required by law, which shall not exceed one hundred and fifty pages, and said report may be included in the report which said Station is already authorized by law to make, and such annual reports shall be submitted to the General Assembly at its regular session.

SEC. 7. *Station bulletin on analyses.* The said Experiment Station may issue at least once a year a bulletin giving the results of all analyses of samples taken under this act, together with the names of the parties from whom the samples were taken; as

far as possible, the names of the manufacturers; the number of samples found to be adulterated; the number not found adulterated; and the number of adulterated samples that have been reported by the Station to the different Commonwealth's attorneys, county and city attorneys of the State. The edition of this bulletin shall not be less than ten thousand copies, to be distributed free to citizens of the State who may desire the same, and to other interested persons so long as the edition may last.

SEC. 8. *Remuneration of experiment station.* Said Experiment Station shall receive five (\$5.00) dollars for the analysis of each sample taken in accordance with this act, and all necessary expenses in carrying out the provisions of this act, including expenses for procuring samples, expert witnesses attending the grand juries and courts, clerk hire and attorneys' fees; provided the total expenses from all sources shall not exceed in any one year seven thousand five hundred dollars (\$7,500). The Board of Control of said Experiment Station shall furnish to the Auditor of Public Accounts an itemized statement of all the expenditures of money made under this act.

The amount of expenditures reported to the Auditor shall be paid by the Commonwealth to the Treasurer of said Experiment Station, upon the written request of the Board of Control of said Experiment Station, and the Auditor for the payment of the same, is directed to draw his warrant upon the Treasurer as is the manner of the payment of other claims against the Commonwealth.

SEC. 9. *Disposition of funds.* All fines recovered under this act shall be kept as a separate fund to pay necessary expenses in maintaining same.

SEC. 10. *Contract in violation of law.* No civil action shall be maintained in any court in this State on account of any sale or other contract made in violation of this act.

SEC. 11. *Repeal.* All acts and parts of acts inconsistent herewith are hereby repealed.—*Approved March 17, 1900. (Acts 1900, ch. 13, pp. 43-49.)*

**1272.** *Unwholesome meat, bread, etc.; penalty.* If a butcher or other person shall knowingly sell the flesh of any animal dying otherwise than by slaughter, or slaughtered when diseased or shall sell the flesh as of one animal knowing it to be that of another species; or if a baker, brewer, distiller, or other person, knowingly sells unwholesome bread or drink, he shall be fined not less than one nor more than fifty dollars.

**1273.** *Adulterated food or drugs; penalty.* If any person adulterate for the purpose of sale anything intended for food or drink, or any drug or medicine, with any substance injurious to health, he shall be confined in jail not more than one year, or fined not exceeding five hundred dollars, or both; and the adulterated articles by order of the court shall be destroyed.

**1280.** *False brands; penalty.* If any person use a false brand on anything sold, or to be sold, or offered for sale, with intent to deceive purchasers, he shall be fined not less than two hundred dollars for each offense.—*Kentucky Statutes, 1899, pp. 550-553.*

#### ALCOHOLIC LIQUORS.

**2200.** *Injurious adulteration; penalty.* If a person knowingly sells or buys, or prepares for sale, any wine or liquor containing any adulteration, by mixing therewith coculus indicus, tobacco, soap, vitriol, logwood, or any other injurious drug or chemical preparation, he shall be fined not more than five hundred dollars for each offense, or not less than twenty, for every gallon of wine or liquor so adulterated.

1. *Branding and analysis.* When an inspector finds any wine or liquor so adulterated he shall mark the cask "condemned for impurity;" when he suspects it to be so adulterated, he shall cause it to be analyzed by a skillful chemist, at the cost of

the owner and ascertain whether it contains anything impure or other than the extract of the grain or fruit from which it was or ought to have been made.

2. *Rectification.* In all prosecutions against wholesale dealers under this section, the fact of rectifying the wine or liquor shall be deemed prima facie evidence of knowledge of any adulteration on the part of the dealer.—*Kentucky Statutes, 1899, p. 856.*

#### BUTTER AND LARD.

1283. No person shall sell, supply, or offer for sale or exchange, any oleaginous substance, or any compound of the same, as butter, other than that produced from unadulterated milk, or cream of the same, or any substance as lard, other than that produced from the fat of healthy, sound hogs, unless the same, and the packages, casks or vessels containing the same, shall be marked so as to plainly show to the purchaser and establish the true character thereof, and distinguish it from the genuine butter or lard. And any person violating any of the provisions of this section shall be fined not less than twenty nor more than one thousand dollars.—*Kentucky Statutes, 1899, p. 554.*

#### CANNED GOODS.

1283a 1. *Grade brand.* That it shall hereafter be unlawful in this State for any packer or dealer in preserved or canned fruits and vegetables, or other articles of food, to offer such canned articles for sale after July one, one thousand eight hundred and ninety-six, with the exception of goods brought from foreign countries or packed prior to the passage of this act, unless such articles bear a mark to indicate the grade or quality, together with the name and address of such firm, person or corporation that packs the same or dealer who sells the same.

2. *Labeling of soaked goods, syrups, etc.* That all soaked goods, or goods put up from products dried before canning, shall be plainly marked by an adhesive label, having on its face the word "soaked," in letters not less in size than two-line pica of solid and legible type; and all cans, jugs or other packages, containing maple syrup or molasses, shall be plainly marked by an adhesive label, having on its face the name and address of the person, firm or corporation who made or prepared the same, together with the name and quality of the goods, in letters of the size provided in this section.

3. *False branding; penalty.* Any person, firm or corporation who shall falsely stamp or label such cans or jars containing preserved fruit or food of any kind, or knowingly permit such false stamping or labeling, and any person, firm or corporation who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and punished with a fine of not less than fifty dollars in the case of the venders, and in the case of manufacturers and those falsely or fraudulently stamping or labeling such cans or jars, a fine of not less than five hundred dollars nor more than one thousand dollars, and it shall be the duty of any board of health in this State, cognizant of any violation of this act, to prosecute any persons, firm or corporation which it has reason to believe has violated any of the provisions of this act.—*Kentucky Statutes, 1899, pp. 554-555.*

#### CANDY.

1275. Any person who shall manufacture or knowingly vend any candies or sweetmeats containing poisonous or noxious ingredient shall for each offense be fined not less than fifty nor more than one hundred dollars.—*Kentucky Statutes, 1899, p. 550.*

#### HONEY.

1281. Any person who shall sell or cause to be sold any manufactured honey, unless such honey is so represented and designated as manufactured honey, shall, for

the first offense, be fined in any sum not less than ten nor more than one hundred dollars, and for each repeated offense shall be fined not less than fifty nor more than two hundred and fifty dollars. Any person who shall sell, or cause to be sold, any such manufactured honey which contains any substance injurious to health, shall, for the first offense, be fined in any sum not less than ten nor more than one hundred dollars, and for each repeated offense shall be fined not less than fifty nor more than two hundred and fifty dollars; and such adulterated articles, by order of the court shall be destroyed.—*Kentucky Statutes, 1899, p. 553.*

## MILK.

**1274.** Whoever shall knowingly sell, or cause to be sold, to any person in this State, milk diluted with water, or in any way adulterated, or milk from which any cream has been taken, or sell milk commonly known as "skimmed milk," with intent to defraud, or shall knowingly sell any milk, the product of a diseased animal, or from animals fed upon "still slop," "brewer's slop," or "brewer's grains," or shall knowingly use any poisonous or deleterious material or milk from animals diseased or fed as aforesaid, in the manufacture of butter or cheese, shall be fined in any sum not less than twenty-five nor more than two hundred dollars.—*Kentucky Statutes, 1899, p. 550.*

## VINEGAR.

**1282.** All barrels, kegs or packages in which vinegar is placed and offered for sale in this Commonwealth shall be so labeled, branded or marked as to describe the process of manufacture of the contents, and shall, on the said label, brand or mark on the outside of said barrel, keg or package, state from what material the vinegar in said barrel, keg or package is made; whether from fruit by natural fermentation, or from malt, grain or acid. Any person selling or offering for sale, in this Commonwealth, any vinegar not so marked and described, or if the vinegar sold, or offered for sale, does not correspond, and is not as represented by the label, mark or brand on the barrel, keg or package, shall be fined not less than twenty-five nor more than one hundred dollars.—*Kentucky Statutes, 1899, p. 554.*

## RULES OF KENTUCKY EXPERIMENT STATION.

**ADULTERATIONS.** The law provides (Sec. 3) that articles of food which are adulterated but which do not contain any added poisonous or deleterious ingredient, may be manufactured or sold if plainly labeled "Adulterated" or labeled, branded or tagged so as to show the exact character thereof. The words "mixture," "compound" or other similar expressions can not be substituted for the word "adulterated" when the components are not given.

**ANTISEPTICS.** Salicylic acid, benzoic acid, boracic acid, hydrofluoric acid, sulphurous acid and their compounds, the salicylates, benzoates, borates, fluorides and sulphites; also formaldehyde or formalin and various mixtures known in the trade as "freezine," "iceine," "preservalines" of various kinds, etc., are antiseptics, and it is unlawful to sell articles of food containing them unless plainly labeled "adulterated" or the presence of the antiseptic and its kind is clearly shown on the label or made known to all purchasers, where the article is not capable of being labeled.

**BAKING POWDERS.**—The law requires that every can or other package of baking powder shall be labeled so as to show clearly what acid salt has been used in making the same. Baking powders, in which exsiccated alum or sulphate of alumina is used, should be labeled "alum baking powder;" those in which phosphate and alum are used should be labeled "alum phosphate baking powder;" those in which phosphate alone is used should be labeled "phosphate baking powder," and those in which cream of tartar is used "cream of tartar baking powder." If the label already

makes known in a conspicuous manner what acid salt has been used, the form is not essential. If the label does not give the name of the acid salt, a printed slip stating what acid salt has been used must be pasted on the label. But in any case the words "alum," "alum-phosphate," "phosphate" or "cream of tartar" must be printed in letters not smaller than brevier heavy **GOTHIC CAPS** and on white or light background so that the words can be easily seen.

**BUTTER.**—Butter should contain at least 80 per cent. of pure milk fats. Butter made by the use of "black pepsin" or other substance in order to incorporate large quantities of water and casein, is adulterated.

Where other fats or oils are substituted, in part or whole, for milk fat in butter, such article can not be sold as "Butter," or "Creamery Butter," or "Dairy Butter," or any combination of words embracing the word "Butter," but must be classed as "Oleomargarine" or "Butterine," and so plainly labeled.

Process butter or unmarketable butter that has been melted and made over is classed as adulterated butter.

**CANDY.**—The use of harmful coloring matters or other ingredients, and the admixture of terra alba, kaolin or other mineral substances to give weight and volume to the mass, are adulterations.

**CHEESE.**—Cheese not made wholly from milk or cream, salt, and harmless coloring matter, is considered adulterated, and must be sold as "Filled Cheese" or the name and amount of the adulterant must be made part of the label. Cheese made from milk from which part of the cream or fat has been taken, must be so labeled as to indicate the amount of cream or fat taken from the milk of which it was made. Cheese containing less than 10 per cent. of fat must be labeled "Skim milk cheese."

**CIDER.**—Cider is the unfermented juice of the apple. Any substitute for apple juice, or any antiseptic added constitutes an adulteration, and such adulterated cider should not be offered for sale, unless the name of the adulterant is made part of the label.

**COFFEE.**—Any article offered as coffee which contains any substitute for the coffee bean in any proportion is adulterated, and should not be offered for sale unless the quantity and kind of such substitute is given as part of the label.

**CREAM.**—Cream shall be produced wholly from pure milk and free from added coloring matter, preservatives or other additions of any kind. It must contain not less than 15 per cent. of milk fat.

**FLOUR.**—Flour is the fine and bolted meal of the wheat grain. When mixed with any material not derived from the wheat grain it is adulterated, and can not lawfully be sold unless plainly marked "adulterated" or the kind and amount of the admixture is made a part of the label.

Buckwheat flour or rye flour must be derived wholly from the grains designated in the name, and any admixture of other flours or materials constitutes an adulteration, and such mixtures can not be lawfully sold unless plainly marked "adulterated," or the kind and amount of the admixture is made part of the label.

**FRUIT JELLIES, FRUIT BUTTERS, PRESERVES, CANNED FRUITS, FRUIT CONSERVES, CONFECTIONS, FRUIT JUICES AND SYRUPS, ETC.,** must consist of the fruit specified in the label, preserved only with cane sugar (sucrose) and must not contain artificial flavors, coloring matters or antiseptics. If such articles contain any substitute for the fruit, or any inferior material to make up bulk or weight, any glucose or other substitute for sugar, any artificial flavor or color, any starch or animal gelatine, any salicylic acid or other antiseptic, or any substance not naturally occurring in such fruits, except spices or other wholesome, natural flavoring materials, they are adulterated, and can not be lawfully sold unless plainly labeled "adulterated," or the presence of all such substances is clearly indicated by the label.

Fruit Preserves, Jams, Marmalades and Butters should not contain less than 80 per cent. of total solids, 1 per cent. of acid calculated as malic, and 0.6 per cent. of ash;



jellies should not contain less than 65 per cent. total solids, 1 per cent. of acid calculated as malic, and 0.3 per cent. of ash.

**GUARANTY OF PURITY.**—Attention is called to the provision of section 3, sub-section 8, "that no dealer shall be convicted under the provisions of this act when he can establish a written guaranty of purity in a form approved by the Director of the Kentucky Agricultural Experiment Station, signed by the wholesaler, jobber, manufacturer or other party from whom he purchased said article, and provided that he establishes that such guarantor or guarantors reside in the State of Kentucky. But such guaranty, to afford protection, shall contain the full name and address of the party or parties making the sale of such article to such dealer."

**HONEY.**—Honey is the nectar of flowers and other saccharine exudations of plants gathered by bees. Honey made by feeding bees glucose, sugar, invert sugar, or other saccharine substance, is not pure honey. Adding sugar, invert sugar, or glucose to honey or substituting these materials for honey constitutes an adulteration, and such adulterated honey can not lawfully be sold unless it is plainly marked "adulterated," or the quantity and name of the adulterant is made part of the label.

**LABELING.**—In labeling articles to comply with the law, each separate package must be labeled. For example, it will not answer to attach to a case of catsup a label stating that it is preserved with benzoate of soda, but each bottle must bear such label.

**LARD.**—Lard is the fat of swine, the fat being melted and separated from the flesh. Adding beef fat or stearine, cotton seed oil, or other substitute for swine fat, constitutes an adulteration, and such adulterated lard can not lawfully be sold unless it is plainly marked "adulterated," or the quantity and name of the adulterant is made part of the label. Lard must contain not less than 99 per cent. of fat.

**MILK.**—Milk must contain at least 12 per cent. of total solids, and 3 per cent. of fat. Milk containing less than these proportions will be considered adulterated, unless labeled or offered as "skim milk," or milk below standard. The addition of antiseptics or preservatives or coloring matter is an adulteration.

**MILK FAT** is the fat contained in pure milk or derived therefrom, and has a Reichert-Meissl number not less than 24, and a specific gravity not below .905 at 40°C.

**MINCE MEAT** containing glucose or any inferior material added for the purpose of increasing weight or bulk, or any antiseptic, is adulterated, and should not be offered for sale unless plainly marked "adulterated," or its component parts given.

**MOLASSES AND SYRUPS.**—All molasses and syrups are assumed to be made from the juice of cane, or other sugar-producing plant, or the sap of the maple tree, and any syrup or molasses containing starch-sugar, glucose, or corn syrup is considered adulterated, and should not be offered for sale unless the label indicates the presence of the same.

**OLEOMARGARINE.**—Oleomargarine, butterine or kindred compounds, or mixtures of these with butter, can not lawfully be sold if colored in imitation of butter. The law does not prohibit the sale of oleomargarine, as such, if not colored to look like butter.

**OLIVE OIL** is the expressed oil of the olive. The substitution of other oils or fats for olive oil, either in part or whole, constitutes an adulteration, and such adulterated oil can not lawfully be offered for sale, unless plainly labeled "adulterated," or amount or kind of the adulterant is clearly shown on the label.

**SPICES, MUSTARD, PEPPER, &C.,** must not contain any foreign substances or coloring matter introduced to dilute or cheapen the article, and any such admixture constitutes an adulteration and can not lawfully be sold unless plainly labeled "adulterated," or the kind and amount of admixture are indicated on the label.

**TEA.**—Tea consists of the dried leaves of the true tea plant, without addition of artificial coloring matter, or filler, or extraction of any essential properties, and any article offered as tea which does not conform to this definition is adulterated and cannot lawfully be offered for sale unless plainly labeled "adulterated," or its true composition is given as part of the label.

VINEGAR.—Standard vinegar is a vinegar made from the juice of the apple and contains not less than  $1\frac{1}{2}$  per cent. of apple solids and 4 per cent. of acetic acid. All vinegars labeled "apple," "cider," or "orchard" vinegars are assumed under the law to be standard vinegars. Vinegars not made of the juice of the apple must be labeled truly of what they are made, as "malt vinegar," "distilled vinegar," or "wine vinegar." Otherwise they are to be considered adulterated. If artificial coloring matter is used, this must be stated on each and every label. Vinegars to which other acids than acetic acid have been added are adulterated.

Vinegars containing less than 4 per cent. of acetic acid may be sold, provided the percentage of acetic acid is made part of the label.

M. A. SCOVELL,

*Director Kentucky Agricultural Experiment Station, Lexington, Ky.*

JULY 19, 1900.

## LOUISIANA.

The State Board of Health has charge of the food laws in a general way, and is authorized to make such analyses as it deems necessary.

### GENERAL FOOD LAWS.

SEC. 1. *Adulterated foods.* That it shall be unlawful for any person or persons to adulterate, to sell or offer for sale in the State of Louisiana, any article of food and sustenance knowing the same to be adulterated.

SEC. 2. *Tainted or stale provisions.* That it shall be unlawful for any person or persons to sell or offer for sale any tainted provisions or stale vegetables, or other articles of food, the same being in a condition of decomposition, or unfit for food.

SEC. 3. *Slaughter of unhealthy animals.* That it shall be unlawful for any person or persons to slaughter for food and offer for sale any cattle, hogs or sheep, the same being in an unhealthy condition.

SEC. 4. *Transportation of diseased cattle.* That it shall be unlawful for any person or persons, railways, steamships, steamboats, water or other craft to discharge at any of the depots, wharves or landings within the city of New Orleans, or any city within the State of Louisiana, or less than two (2) miles distant therefrom, any cattle, swine or sheep forwarded through them or shipped on their own account, when the same is known to be in a diseased condition.

SEC. 5. *Penalty.* That any person or persons violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and for the first offense shall be punished by a fine of twenty-five dollars (\$25) or three months' imprisonment, and for a second or subsequent offense, shall be punished with a fine of fifty (\$50) dollars or not less than six (6) months' imprisonment, or both, at the discretion of the court.

SEC. 6. *Enforcement.* That the Secretary of State, immediately upon the passage of this act, shall notify all sheriffs, chiefs of police, and other executive officers throughout the State to take cognizance thereof, and enforce its provisions.

SEC. 7. *Repeal of previous legislation.* That all laws or parts of laws in conflict with this act be and the same are hereby repealed.—*Revised Laws 1897, p. 751; Act 20 of Laws 1880, p. 23.*

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SEC. 1. *Penalty for adulterating food or drugs.* No person shall, within this State, manufacture, have, offer for sale or sell any article of food or drugs which is adulterated, and any person violating this provision shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding fifty dollars for the first offense, and not exceeding one hundred dollars for each subsequent offense.

SEC. 2. *Adulteration defined.* An article shall be deemed adulterated within the meaning of this act, in the case of drugs if when sold under a name recognized in the United States Pharmacopœia its strength or purity fall below the professed standard under which it is sold.

And in the case of food or drink, if any substance has been mixed with it, so as to lower or injuriously affect its quality or strength, or if any inferior or cheaper substance or substances have been substituted wholly or in part for the pure article, or to mix any substance in food or drink so sold, or to sell the same so mixed, which by its use will affect in any extent the public health or injure the health of the consumer of said food or drink.

SEC. 3. *Labels.* No person shall manufacture, sell or offer for sale within this State, any drugs, groceries, such as sugar, coffee, tea, butter, cheese or any other article to be consumed as food or drink, unless the package when sold at wholesale or the packages from which it is taken, when sold at retail be stamped in plain large letters, showing the true quality and kind of the articles sold within the meaning of this act, and every person violating the provisions of this section shall be deemed guilty of a misdemeanor, and shall upon conviction pay a fine of not less than twenty-five dollars nor more than fifty dollars, or be sentenced to imprisonment for not more than ten days or both at the discretion of the court.

SEC. 4. *False labels.* That any person who knowingly sells any article of food or drink with a stamp as provided aforesaid, and the article so sold is not the article it purports to be, or inferior quality, shall be deemed guilty of a misdemeanor, and upon conviction shall pay a fine not exceeding one hundred dollars.

SEC. 5. *Duties of board of health; analyses.* The State Board of Health shall take cognizance of the interests of the public health as it relates to the sale of food and drugs, and the adulteration of the same, and make all necessary investigations and inquiries relating thereto, and at any time, when in their judgment necessary, they shall chemically analyze any drug or drugs, article of food or drink, and shall publish the results of their analysis together with the name of the article or articles analyzed, in case the same be deleterious to the public health, and to warn the public against its consumption.

On application of any citizen, they shall also analyze the article or articles presented for analysis by him; but in this case he shall pay such fees, for said analysis, as the Board of Health may fix.

SEC. 6. *Furnishing of samples.* On application of the Board of Health through the officer, to be selected by them, every person manufacturing or selling any article of food or drugs, shall be bound to furnish a sample of the said articles so manufactured, or sold to the said Board, sufficient in quantity to serve the purpose of analysis, under a penalty of not more than twenty dollars, to be recovered before any court of competent jurisdiction.—*Revised Laws 1897, p. 751; Act 82 of Laws 1882, p. 103.*

#### BUTTER.

SEC. 1. *Bogus butter prohibited.* That the sale of all substances, such as oleomargarine, butterine, bogus butter or other material, either separately or in combination with any substances other than the product of the cow, as butter, is hereby prohibited.

SEC. 2. *Penalty.* That any merchant, grocer or other person doing business in this State, who shall barter, sell, handle or give away any of the substances mentioned in the first section of this act, except when so labeled as unmistakably to indicate their true composition, shall be guilty of a violation of the first section of this act, and on conviction of the same before any court of competent jurisdiction, shall be punished by fine or imprisonment, or both, at the discretion of the court.—*Revised Laws 1897, p. 752; Act 81 of Laws 1886, p. 121.*

#### CANDY.

SEC. 1. *Addition of injurious ingredients.* Be it enacted by the General Assembly of the State of Louisiana, That no person, shall by himself, his servant or agent, or

as the servant or agent of any other person or corporation, manufacture for sale, or knowingly sell or offer to sell any candy adulterated by the admixture of terra alba, barytes, talc or other mineral substance, by poisonous colors or flavors or other ingredients deleterious or detrimental to health.

SEC. 2. *Penalty.* Be it further enacted, etc., That whoever violates any of the provisions of this act shall be punished by a fine not exceeding one hundred dollars (\$100) nor less than fifty dollars (\$50). The candy so adulterated shall be forfeited and destroyed under direction of the Court.—*Acts 1898, p. 92.*

#### RICE.

SEC. 1. *Cleaning rice with oil, etc.* Be it enacted by the General Assembly of the State of Louisiana, That it shall be unlawful for any person to use oil, parafine<sup>a</sup> or any other similar substance in the process of cleaning rice or in preparing it for market, for the purpose of increasing its weight, transparency or brilliancy or for in any manner bettering its appearance.

SEC. 2. *Penalty.* Be it further enacted, etc., That any person violating the provisions of this act shall be guilty of a misdemeanor and on conviction thereof before any court of competent jurisdiction shall be fined not exceeding one hundred dollars or imprisoned not exceeding thirty days, at the discretion of the courts for each offense.—*Acts 1898, p. 430.*

#### SUGAR AND MOLASSES.

SEC. 1. *Adulteration with glucose, etc.; branding; penalty.* Whoever shall knowingly sell or offer for sale, ship or place upon the market for sale, either by sample, hogshead, barrel, package or otherwise, any sugar or molasses, adulterated with glucose or any foreign substance, without branding or stamping it as such in clear, legible letters, shall be guilty of a misdemeanor and, on conviction thereof, shall be punished by imprisonment not exceeding six months, and by a fine of not less than two hundred dollars nor more than one thousand dollars for each offense, recoverable before any court of competent jurisdiction; one-half of the fine for the benefit of the informer and the other half for the benefit of the Charity Hospital of New Orleans.

SEC. 2. *Plantation brands.* Whoever shall employ plantation brands to sell adulterated sugar or molasses, shall be guilty of a misdemeanor and, on conviction thereof, shall be punished as provided for in section 1 of this act.—*Revised Laws 1897, pp. 752-753; Act 49 of Laws 1886, p. 83.*

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<sup>a</sup> So in statutes.

## MAINE.

The State has no officer charged with the enforcement of its food laws, except in so far as the local boards of health, sheriffs, deputy sheriffs, constables, and inspectors of milk, vinegar, and flour have authority.

### GENERAL FOOD LAWS.

SEC. 1. *Unwholesome food.* Whoever sells diseased, corrupted or unwholesome provision for food or drink, knowing it to be such, without informing the buyer, or fraudulently adulterates for the purpose of sale, any substance intended for food, or any wine, spirits or other liquors intended for drink, so as to render them injurious to health, shall be punished by imprisonment for not more than five years, or by fine not exceeding one thousand dollars; and whoever kills or causes to be killed for the purpose of sale, any calf less than four weeks old, or knowingly sells, or has in his possession with intent to sell for food, the meat of any calf killed when less than four weeks old, shall be punished by imprisonment in the jail or house of correction, not exceeding thirty days, or by fine not exceeding fifty dollars, or both; and all such meat exposed for sale, or kept with intent to sell, may be seized and destroyed by any board of health, or health officer, or any sheriff, deputy sheriff, constable or police officer.

SEC. 2. *Complaints.* When complaint is made on oath to any court or justice authorized to issue warrants in criminal cases, that meat of calves killed when less than four weeks old, is kept or concealed with intent to sell the same for purposes of food, such magistrate, when satisfied that there is reasonable cause for such belief, may issue a warrant to search therefor.—*Rev. Stat., 1883, ch. 128, p. 921.*

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SEC. 1. *Diseased animal products.* The owner or other person having charge of any animal, or meat or milk of any animal affected with tuberculosis or other contagious or infectious disease, who, knowing that the animal is thus affected, shall hold the animal, or its meat or milk, for human food, shall be liable, on conviction, to a fine of not less than five dollars nor more than fifty dollars.—*Pub. Laws, 1895, ch. 144, p. 160; Freeman's Supplement, ch. 14, (8).*

### ALCOHOLIC BEVERAGES.

SEC. 17. *Adulteration.* If a municipal officer buys any intoxicating liquors to be sold according to law, of any other persons except those specified in the preceding section,<sup>a</sup> or if he or any person in his employment, or by his direction, sells or offers for sale any such liquors that have been decreed to be forfeited, or causes any intoxicating, or malt liquors which he or they keep for sale, to be adulterated, by mixing with the same any coloring matter, drug or ingredient, or mixes the same with other liquors of a different kind or quality, or with water, or sells or exposes

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<sup>a</sup> Sec. 16 omitted, as it does not come within the scope of this bulletin.

for sale such liquor so adulterated, knowing it to be such, such offender forfeits to the town to which he belongs, not less than twenty nor more than one hundred dollars, to be recovered by indictment.

SEC. 26. *Branding; forfeiture and seizure.* No such liquors owned by any city, town or plantation, or kept by any agent thereof, as provided by law, are protected against seizure and forfeiture, under the provisions hereof, by reason of such ownership, unless all casks and vessels in which they are contained are at all times conspicuously marked with the name of such municipality, and of its agent. When such liquors are seized, bearing such marks as are herein required, if such liquors are in fact not owned by any such municipality, such false and fraudulent marking is conclusive evidence that the same are kept or deposited for unlawful sale, and render them liable to forfeiture under this chapter. The liquors kept for sale by such agents shall not be adulterated or factitious; and they shall not be protected from seizure and forfeiture by reason of being kept for sale by such agents, if they have knowledge that the same are adulterated or factitious.—*Rev. Stat., 1883, ch. 27, pp. 303 and 305.*

#### CANDY.

SEC. 1. *Adulteration.* No person shall by himself, his servant, or agent of any other person or corporation, manufacture for sale, or knowingly sell or offer to sell, any candy adulterated by the admixture of terra-alba, barytes, talc or any other mineral or metallic substance, or by poisonous colors or flavors, or containing brandy, whiskey, rum, wine or any alcoholic liquor in liquid form or other ingredients deleterious or detrimental to health.

SEC. 2. *Candy containing liquor.* No person shall by himself, his servant, or agent of any other person or corporation offer for sale any candy under the name of brandy, whiskey, rum or wine drops.

SEC. 3. *Penalty.* Whoever violates any of the provisions of this act shall be punished by a fine not exceeding one hundred dollars nor less than fifty dollars. The candy so adulterated shall be forfeited and destroyed under direction of the court.

SEC. 4. *Prosecutions.* It is hereby made the duty of the prosecuting attorneys of this state to appear for the people and to attend to the prosecution of all complaints under this act, in all the courts in their respective counties.—*Gen. Laws, 1895, ch. 71, p. 69; Freeman's Supplement, acts additional to ch. 128, p. 506.*

#### FLOUR.

SEC. 36. *Appointment of inspectors.* The municipal officers of towns may annually appoint in their towns, one or more suitable persons not interested in the manufacture and sale of flour, to be inspectors thereof for one year from the date of appointment.

SEC. 37. *Oath of office.* Such inspector before entering upon his duties, shall be sworn to the faithful and impartial discharge thereof before the town clerk, who shall, upon payment of fifty cents, give him a certificate of his appointment and qualification, to be exhibited on the demand of any person interested in any inspection made by him.

SEC. 38. *Brand as to soundness.* Inspection of flour shall be for the purpose of ascertaining its soundness; every package inspected shall be opened sufficiently to allow a trier to be passed through it, and a sample of the whole length of the passage shall be taken out and examined by the inspector, who shall mark upon each package with a brand, or stencil, the words, "Sound" or "Unsound," as the quality of the flour contained in each is found, and his name, residence, office, and the year of inspection. He shall keep a record of all flour inspected by him, in a suitable book which he shall exhibit to any person requiring it.

SEC. 39. *False or fraudulent marking.* If an inspector falsely and fraudulently marks

any package of flour, he shall be fined five dollars for every such package, and forfeits to any person injured thereby, three times the amount of damage, in an action of debt.

SEC. 40. *Altering or counterfeiting marks.* Whoever, with intent to defraud, alters, obliterates or counterfeits the marks of an inspector, and whoever, with such intent, places upon any package of flour, marks falsely purporting to be inspection marks, shall for every offence, be fined not exceeding fifty dollars, and on conviction of placing such false marks on as many as ten packages at one time, shall also be imprisoned not exceeding ten months.

SEC. 41. *Demands for inspection; fees.* The purchaser may require flour to be inspected before delivery. The inspector's fees are five cents a package, for lots of less than ten; for lots of more than ten and not exceeding twenty, two cents a package; and for every package exceeding twenty, one cent; to be paid by the person demanding inspection.

SEC. 42. *Quality determinations.* Inspectors shall, when required, determine whether the flour conforms to and equals the sample furnished, and shall mark, with some distinct and intelligible mark, the packages that are found like the sample, and for this service they may charge an additional compensation of one-half cent a package.

SEC. 43. *Inspection not obligatory.* Nothing herein contained prohibits any contract for the manufacture, or sale of uninspected flour, when inspection is not required by the buyer or the seller.—*Rev. Stat., 1883, ch. 38, p. 353.*

SEC. 1. *Wheat meal compounds must be so marked.* No manufacturer or other person shall sell, prepare, deliver, put up, expose or offer for sale, any article, substance or compound, under or by the name of wheat meal, graham meal, or graham flour, made in imitation of pure wheat meal, and not consisting wholly and exclusively of pure wheat meal unless every box, bucket, barrel or wrapper in or under which such article is sold, delivered or exposed for sale, bears on the top or outer side thereof, in letters not less than one-half inch in length, and plainly exposed to view the words "compound wheat meal."

SEC. 2. *Penalty.* Any person who violates any provision of this act, shall forfeit the sum of fifty dollars to the use of any person suing therefor in an action of debt.—*Public Laws, 1889, ch. 257, p. 228; Freeman's Supplement, acts additional to ch. 128, p. 505.*

#### DAIRY PRODUCTS.

SEC. 3. *Imitation butter or cheese.* Whoever by himself or his agent manufactures, sells, exposes for sale, or has in his possession with intent to sell, or takes orders for the future delivery of any article, substance or compound made in imitation of yellow butter or cheese, and not made exclusively and wholly of cream or milk, or containing any fats, oil or grease not produced from milk or cream, whether said article, substance or compound be named oleomargarine, butterine or otherwise named, forfeits for the first offense one hundred dollars and for the second and each subsequent offense, two hundred dollars, to be recovered by indictment with costs, one-third part to go to the complainant and the balance to the state. And it shall be the duty of every inspector of milk, sheriff, deputy sheriff and constable, as named in section five of this chapter to institute complaint against any person or persons violating the above named provisions of said third section.

SEC. 4. Repealed in 1885, ch. 297, p. 248.

SEC. 5. *Analysis of suspected products.* Every inspector of milk, sheriff, deputy sheriff or constable shall institute complaint for violation of the two preceding sections whenever he has reasonable cause for suspicion, and on the information of any



person who shall lay before him satisfactory evidence of the same. Said inspector or officer shall take specimens of suspected butter or cheese and cause the same to be analyzed, or otherwise satisfactorily tested. The expense of such analysis or test, not exceeding twenty dollars in any one case, may be included in the costs of prosecution, and taxed and allowed to the officer paying the same.

SEC. 6. *Terms "butter" and "cheese" defined.* For the purpose of the three preceding sections, the terms "butter" and "cheese" mean the products usually known by those names, and which are manufactured exclusively from milk or cream, or both, with salt and rennet, and with or without coloring matter.—*Rev. Stat., 1883, ch. 128, p. 922, as amended March 26, 1895; Freeman's Supplement, ch. 128, p. 502.*

SEC. 44. *Appointment of milk inspectors.* The municipal officers of towns containing not less than three thousand inhabitants shall, on application of ten voters therein, annually appoint one or more persons to be inspectors of milk, who shall, before entering upon their duties, be sworn, and give notice of their appointment by publishing the same for two weeks in a newspaper published in their towns, if any, otherwise by posting such notice in two or more public places therein.

SEC. 45. *Records; taking of samples; prosecution.* Inspectors shall keep an office and books for the purpose of recording the names and places of business of all persons selling milk within their limits. They may enter any place where milk is kept or stored for sale, and examine all carriages used in the conveyance thereof, and when they have reason to believe any milk found therein to be adulterated, they shall take specimens thereof, and cause them to be analyzed or otherwise satisfactorily tested, and they shall preserve the result as evidence. Said inspectors shall leave with the owner of the milk inspected a sealed specimen of the milk examined by them, which shall be marked in the same manner as the specimen taken at that time by said inspectors, and prosecute for all violations of the two following sections.

SEC. 46. *Marking of measures, etc.* All measures, cans, or other vessels used in the sale of milk, shall annually be sealed by the sealer of weights and measures by ale and beer measure, and shall be marked by the sealer with figures indicating the quantity which they hold, and whoever fraudulently sells by any other measure, can or vessel, forfeits twenty dollars for each offence.

SEC. 47. *Unwholesome or diluted milk.* Whoever acting for himself, or as the employe of another, knowingly or wilfully sells or offers for sale, milk from cows diseased, sick, or fed upon the refuse of breweries or distilleries, or upon any substance deleterious to its quality, or milk to which water or any foreign substance has been added, or sells or offers for sale as pure milk, any milk from which cream has been taken, forfeits twenty dollars for the first, and fifty dollars for every subsequent offence, to be recovered for the town where the offence is committed by complaint and indictment. When milk shall, by the gravimetric analysis be found to contain over eighty-eight per cent of water, it shall be deemed prima facie evidence that said milk has been watered, and when milk by the analysis aforesaid, shall be found to contain less than twelve per cent of solids, and less than three per cent of fat, it shall be deemed, prima facie, milk from which cream has been taken, and any milk which, by the analysis aforesaid, shall be found to contain any foreign substance, shall be deemed milk to which a foreign substance has been added.—*Rev. Stat., 1883, ch. 38, p. 354, as amended by Pub. Laws, 1893, ch. 255, p. 265 (Freeman's Supplement, ch. 38, p. 223), and by Pub. Laws, 1897, ch. 292, p. 327.*

## EGGS.

Whoever by himself or his agent, sells or offers for sale eggs that have been in cold storage or limed, or that have been preserved in any manner and are not what

are usually denominated fresh eggs, without notice to the purchaser or purchasers, knowingly and with intent to deceive, shall be punished by imprisonment not exceeding thirty days or by fine not exceeding one hundred dollars.—*Public laws, 1895, ch. 99, p. 108; Freeman's Supplement, acts additional to ch. 128, p. 505.*

#### LARD.

SEC. 1. *Lard compounds must be so marked.* No manufacturer or other person shall sell, deliver, prepare, put up, expose or offer for sale any lard, or any article intended for use as lard, which contains any ingredient but the pure fat of swine, in any tierce, bucket, pail or other vessel or wrapper, or under any label bearing the words "pure," "refined," "family," or either of them, alone or in combination with other words, unless every vessel, wrapper or label, in or under which such article is sold or delivered, or prepared, put up or exposed for sale, bears on the top or outer side thereof, in letters not less than one-half inch in length and plainly exposed to view, the words "compound lard."

SEC. 2. *Penalty.* Any person who violates any provision hereof, shall forfeit the sum of fifty dollars to the use of any person suing therefore, in an action of debt.—*Public Laws, 1889, ch. 244, p. 219; Freeman's Supplement, acts additional to ch. 128, p. 505.*

#### MAPLE SUGAR AND SYRUP.

SEC. 1. *Adulteration of maple products.* No person or persons shall sell or offer for sale, as maple sugar or syrup, any article made in adulteration or imitation of maple sugar or syrup.

SEC. 2. *Penalty.* Any person or persons violating the provisions of the preceding section shall be punished by a fine of not less than twenty-five dollars and not more than one hundred dollars, or imprisonment in the county jail for thirty days, or both, at the discretion of the court.

SEC. 3. One-half the fine to be paid complainant and balance to the county in which said case is brought.—*Public Laws, 1895, ch. 118, p. 130; Freeman's Supplement, acts additional to ch. 128, p. 505.*

#### SUGAR AND MOLASSES.

SEC. 7. *Adulteration.* Whoever adulterates sugar or molasses; or knowingly, wilfully or maliciously sells, or offers or exposes for sale, sugar or molasses adulterated with salts of tin, terra alba, glucose, dextrine, starch sugar, corn syrup, or other preparation from starch, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment for not more than one year.—*Rev. Stat., 1883, ch. 128, p. 923.*

#### VINEGAR.

SEC. 8. *Adulteration of cider vinegar.* Whoever manufactures for sale, or knowingly offers or exposes for sale, or knowingly causes to be branded or marked as cider vinegar, any vinegar not the legitimate product of pure apple juice, known as apple cider, and not made exclusively therefrom, but into which any foreign substance, ingredient, drug or acid has been introduced, as appears by proper tests, shall, for each offence, be fined not less than fifty nor more than one hundred dollars.

SEC. 9. *Addition of injurious ingredients.* Whoever manufactures for sale, or knowingly offers or exposes for sale, vinegar found, upon proper tests, to contain any preparation of lead, copper or sulphuric acid, or other ingredient injurious to health, shall, for each offence, be fined not less than one hundred dollars.

SEC. 10. *Inspectors.* The mayor and aldermen of cities shall, and the selectmen of towns may, annually appoint one or more persons to be inspectors of vinegar, for their respective municipalities, who shall be sworn before entering upon their duties.—*Rev. Stat., 1883, ch. 128, p. 923.*

## MARYLAND.

The State board of health is charged with the enforcement of certain of the Maryland food laws. For others there is no special administrative officer

### GENERAL FOOD LAWS.

48. *Adulterations must be so marked.* No person shall mix, color, stain or otherwise sophisticate any article of food or drink with any other ingredient or material for the purpose of gain or profit, nor shall sell or offer for sale, or order or permit any employee or other person to sell or offer for sale, any article so mixed, colored, stained or otherwise sophisticated, unless the same be so manufactured, used or sold, or offered for sale under its true and appropriate name, and unless a notice that the same is mixed or impure, is marked, printed or stamped upon each package, roll, parcel, or vessel, containing the same, so as to be and remain at all times readily visible, or unless the person purchasing the same is fully informed by the seller of the true name and ingredients (if other than such as are known by the common name thereof,) of such article of food or drink at the time of making sale thereof or offering to sell the same.

49. *Glucose, oleomargarine, etc., as adulterants.* No person shall mix any glucose, grape sugar or other article of adulteration with any syrup, honey or sugar intended for human food, or any oleomargarine, suine, beef-fat, lard or any other foreign substance with any butter or cheese, intended for human food, nor mix or mingle any glucose, grape sugar, oleomargarine, or other adulterant with any article of food or dietetics without distinctly marking, stamping or labeling the article or the package containing the same, with the true and appropriate name of such adulterant, and the percentage in which it is used for the purpose of adulteration, or enters into the composition of the article so adulterated; nor shall any person sell, offer for sale, or permit to be sold or offered for sale any article of food or drink or dietetics into the composition of which any adulterant has entered, without at the same time informing the buyer of the fact and the proportion in which such adulterant has been used; provided that nothing in this section shall be construed to prevent the use of glucose or grape sugar in the manufacture of candy.

50. *Adulteration of liquids.* No person shall adulterate or sophisticate any wine, vinegar, spirituous or malt liquors used or intended for drink or dietetic purposes, by mixing the same in the manufacture or preparation thereof or otherwise, with any deleterious drug, substance or liquid which is poisonous or injurious to health; and no person shall use or offer for sale, or import into this State for sale, any wine, vinegar, spirituous or malt liquor intended to be used for drink or dietetic purposes, knowing the same to be adulterated or in any way sophisticated.

51. *Penalty for adulteration.* If any person shall fraudulently adulterate for the purpose of sale, or shall sell or offer for sale any substance intended for the food of man, or any wine, vinegar, spirits, malt liquors or other liquor intended for drink or dietetic purposes, knowing the same to be adulterated or in any way sophisticated, he shall be punished by imprisonment in the county jail not longer than one year,

or by fine not exceeding five hundred dollars, and the article so adulterated shall be forfeited and destroyed or so disposed of as to prevent it from being exposed for sale or used for the food of man.

**52. *Penalty for sale of unwholesome provisions.*** If any person shall sell or offer for sale any kind of diseased, corrupted or unwholesome provisions, such as poultry, game, flesh or preparations of flesh, fruits, vegetables, bread, flour, meal, milk or other things intended to be used for human food, he shall be punished by imprisonment in the county jail not more than one year, or be fined not exceeding five hundred dollars, or be both fined and imprisoned in the discretion of the court having jurisdiction, and the unwholesome provisions offered or exposed for sale shall be forfeited and destroyed, or so disposed of as to prevent their being used for food; provided that nothing in this section shall apply to the shippers or consignors of green fruits or vegetables that may be spoiled in transitu.

**53. *Examinations by State Board of Health.*** The State Board of Health shall be charged with the duty of rendering effective the provisions of this subtitle, and shall take such steps and do such things as the board may deem necessary, to detect and publicly expose any adulteration or corruption of all articles sold or liquid intended or offered for sale as food or drink; and shall, when deemed necessary, have the suspected article subjected to chemical or other scientific examination in order to establish more clearly the fact and degree of adulteration.

**54. *Condemnation of adulterated products.*** Whenever the said State Board of Health, or its proper officer, shall be satisfied that any article of food, condiment or drink, has been adulterated, or is otherwise unsound, or unwholesome, the said board, or its proper officer, shall forbid the sale or disposal of such article for human food, and order it to be destroyed or so disposed of as to prevent it from being exposed for sale or used for the food of man; and the person or persons to whom the same belongs, or did belong at the time of exposure for sale, or in whose possession, or on whose premises the same was found, refusing or neglecting to destroy, or otherwise dispose of such unsound or unwholesome article as directed, shall be liable to the penalty imposed under the provisions of the fifty-second section of this act.

**55. *Inspection of foods; sale of unwholesome products prevented; penalty.*** The said State Board of Health, or its proper officer, or any inspector or inspectors appointed by said board, are empowered at all reasonable times to inspect and examine any live animal, carcass, meat, poultry, game, flesh, fish, fruits, vegetables, bread, milk, wine, spirits, malt or other liquors, or things exposed for sale, or deposited in any place for the purpose of sale, or of preparation for sale, and intended for the food of man, the proof that the same was not exposed or deposited for any such purpose, or was not intended for the food of man, resting with the party charged; and if such animal, carcass, meat, poultry, game, flesh, fish, fruits, vegetables, bread, milk, or other things, appear to the said board, or its proper officer, or inspector to be diseased, or unsound, or unwholesome, and unfit for the food of man, the said board, or its proper officer, shall issue an order preventing the sale of such article or articles for human food, and any person neglecting or refusing to obey such an order, shall be deemed guilty of a misdemeanor, and shall be punished by fine in any sum not less than fifty dollars, and in default of the payment thereof, by imprisonment in the public jail, not more than six months.

**56. *Prosecutions.*** It is hereby made the duty of the prosecuting attorneys of this State to appear for the people, and to attend to the prosecution of all complaints under this subtitle, in all the courts of their respective counties, or the city of Baltimore, as the case may be.

**57. *Appropriation.*** The sum of twenty-five hundred dollars, or so much thereof as may be necessary, is annually appropriated for defraying the expenses of chemical and scientific examination of suspected articles of food or drink; for the salary of

inspectors and other necessary expenses to be paid by the treasurer of the State, on the warrant of the comptroller, at such times and in such sums as the board may direct.—*Supplement to the Public General Laws, 1890-1900, art. 43, p. 344.*

### CONFECTIONERY.

**137. *Injurious ingredients.*** No person shall manufacture or sell in this State candy or cakes of any kind soever, which contain any ingredient which may be deleterious, injurious or poisonous to the consumer.

**138. *Penalty.*** Each and every person who shall manufacture or sell in this State candy or cakes of any kind soever, which contain any ingredient which may be deleterious, injurious or poisonous to the consumer, shall be guilty of a misdemeanor, and on conviction in a court of competent jurisdiction, shall be fined for each and every offense a sum not less than fifty dollars nor more than two hundred dollars.—*Public General Laws 1888, art. 27, vol. 1, p. 506.*

**138.<sup>a</sup> (4A.) *Use of terra alba, etc.; penalty.*** If any person or corporation shall use terra alba, or any poisonous or injurious drug or narcotic in the manufacture or coloring of any candy or lozenges in this State, or any trader shall knowingly sell any candy or lozenges manufactured either in or out of this State, knowing the same to contain terra alba, or any poisonous or injurious drug or narcotic, or to be colored with any poisonous or injurious drug or narcotic, or with any poisonous substance, he, or if a corporation, it, and all its agents who shall knowingly violate any of the provisions of this section, shall be deemed guilty of a misdemeanor, and upon indictment and conviction, shall be fined not less than fifty dollars, nor more than five hundred dollars for the first offense, and not less than five hundred dollars nor more than one thousand dollars for the second offense, one-half of said fine to be paid to the informer.

**138.<sup>b</sup> (4B.) *Injuries from adulterations.*** If any person shall be injured by the use of any such adulterated or poisonous candy or lozenges, he shall be entitled to recover in an action to be brought in any court of competent jurisdiction, not less than fifty dollars as liquidated damages, and such other and further actual damages as he may prove.—*Supplement to the Public General Laws, 1890-1900, art. 27, p. 179.*

### CANNED GOODS.

**100. *Soaked goods must be stamped.*** Every person, firm or corporation, now engaged or who may hereafter engage in the business of canned fruits, vegetables and other products, and who shall can or preserve in cans by hermetically sealing any description of fruits or vegetables that have been previously evaporated or dried by the application of heat, and known under the general name of dried fruits and vegetables, shall stamp, or cause to be stamped in the cap covering the mouth of the can into which the said dried fruits or vegetables are to be put up or canned, the following words "soaked goods," as also the bona fide name of the person, firm or corporation canning the said dried fruits or vegetables; and the said words to be stamped in the cap of the can shall be of letters not less than three-sixteenths of one inch in height and one-sixteenth of an inch in breadth.

**101. *Penalty for defacing labels, etc.*** Any person, firm or corporation, who shall neglect to comply with the provisions of the preceding section, and every person or persons who shall render illegible, conceal or hide in any manner the words to be stamped in the cap of the can, as mentioned in said section, shall be deemed guilty

of a misdemeanor, and shall, for every such offence, forfeit and pay a fine of not less than five hundred dollars, to be recovered by indictment in any court of this State, having competent jurisdiction for the trial of misdemeanors; and one-half of said fine shall be paid to the informer, and the other half into the treasury of the State.

**102.** *Label showing name and address of packer or dealer.* It shall be unlawful in this State for any packer or dealer in hermetically canned or preserved fruits, vegetable or other articles of food, excepting oysters, to sell such canned or preserved fruits, vegetables or other articles of food, unless the cans, jars or vessels which contain the same shall bear the name and address of the person, firm or corporation that canned or packed the article, or the name of the dealer who purchases the same from the packer or his agent; such name, address or place of business shall be plainly printed on the label in letters not less than three-sixteenths of an inch in height and one-eighth of an inch in breadth, together with a brand, mark or term indicating clearly the grade or quality of the article contained therein.

**103.** *Labelling of "soaked goods."* All packers and dealers in soaked goods put up from products dried or cured, before canning and sealing shall, in addition to complying with the provisions of the preceding section, cause to be printed plainly, diagonally across the face of the label, in good legible type, one-half of an inch in height and three-eighths of an inch in width, the words "soaked goods."

**104.** *Penalty.* Any person violating any of the provisions of the two preceding sections, shall be deemed guilty of a misdemeanor, and be punished by a fine of not less than fifty dollars nor more than one thousand dollars for each offence, to be recovered by indictment in any court of this State having criminal jurisdiction; one-half of this fine shall be paid to the informer and the other half to the State treasury.—*Public General Laws, 1888, vol. 1, art. 27, p. 495.*

#### DAIRY PRODUCTS.

**19.** *Registration of herds.* It shall be the duty of all dairymen or herdsmen or private individuals supplying milk to cities, towns and villages to register their herds or cattle with the Live Stock Sanitary Board,<sup>a</sup> in violation of which the parties offending shall be fined not less than one dollar nor more than twenty dollars for each offence.

**20.** *Inspection of dairies, etc.; rules governing same.* It shall be the duty of the Live Stock Sanitary Board to have inspected at least annually, without notice to the owner or those in charge of any dairy or parties supplying milk, as named in section 19 of this article, the premises wherein cows are kept, and if such premises are found in an unsanitary condition, the said board may prohibit the sale and shipment of milk from such premises until such time as the premises shall conform to the following sanitary rules:

Rule 1. No building or shed shall be used for stabling cows for dairy purposes, which is not well lighted and well ventilated, and which is not provided with sufficient feed trough or box, and suitable floor, laid with proper grades and channels to immediately carry off all drainage; and if a public sewer abuts the premises upon which such building is situated, they shall be connected therewith whenever the inspector considers such sewer connection necessary.

Rule 2. No water-closet, privy, cesspool, urinal, inhabited room or workshop shall be located within any building or shed used for stabling cows for dairy purposes, or for the storage of milk or cream; nor shall any fowl, hog, sheep or goat be kept in any room used for such purposes.

<sup>a</sup> Appointed by the governor in accordance with the provisions of Chapter 519, Article 58, of the Public General Laws of 1888.

Rule 3. It shall be the duty of each person using any premises for keeping cows for dairy purposes, to keep such premises thoroughly clean and in good repair and well painted or whitewashed at all times.

Rule 4. It shall be the duty of each person using any premises for keeping cows for dairy purposes, to cause the building in which cows are kept to be thoroughly cleaned, and remove all dung from the premises so as to prevent its accumulation in great quantities.

Rule 5. Any person using any premises for keeping cows for dairy purposes, shall provide and use a sufficient number of receptacles, made of non-absorbent materials for the reception, storage and delivery of milk, and shall cause them at all times to be cleaned and purified, and shall cause all milk to be removed without delay from the rooms in which cows are kept.

Rule 6. Every person keeping cows for the production of milk for sale shall cause every such cow to be cleaned every day, and to be properly fed and watered with abundance of pure, clean water.

Rule 7. Any inclosure in which cows are kept shall be graded and drained, so as to keep the surface reasonably dry; no garbage, fecal matter or similar matter shall be placed or allowed to remain in such inclosure unless sufficient straw or good absorbent materials be used to keep the inclosure clean at all times, and no open drains shall be allowed to run through it.

And any person who shall ship or sell milk contrary to the aforesaid order of said board shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than one dollar nor more than twenty dollars for each day during which shipments shall be made after notice of such order.

22. *Certificate of health.* The Live Stock Sanitary Board shall, at the request of the owner or owners of dairy herds, furnish them with a certificate of health whenever the provisions of this article are complied with, and there is no visible sign of disease amongst such herds, such certificates shall be revocable in the discretion of the board.

23. *Appropriations.* For the purpose of paying the expenses required in carrying out the provisions of this sub-title, the sum of three thousand dollars is hereby appropriated annually, or so much thereof as is necessary out of the moneys in the treasury not otherwise appropriated, and the Comptroller is authorized and directed to draw his warrant on the treasury for such sum as the said board shall produce vouchers for, not exceeding the amount appropriated, payable monthly.—*Supplement to the Public General Laws, 1890-1900, art. 58, p. 412-414.*

88. *Handling of imitation butter; penalty.* No person by himself, his agent or servants, or as the agent or servant of any other person, shall render or manufacture, sell or exchange, offer for sale or exchange, expose for sale or exchange, take orders for the future delivery of, have in his possession, keep in storage, distribute, deliver, transfer or convey, with intent to sell within this State, any article, product or compound made wholly or partly out of any fat, oil or oleogeneous<sup>a</sup> substance or compound thereof not produced directly and wholly from unadulterated milk or cream from the same, which shall be in imitation or semblance of yellow butter produced from pure unadulterated milk or cream from the same; provided that nothing in this section and in sections 89, 90, and 91 shall be construed to prohibit the manufacture or sale of oleomargarine in separate form and in such manner as will advise the purchasers and consumers of its real character, free from coloration or ingredients which cause it to look like yellow butter. Whoever violates any of the provisions of this

<sup>a</sup> So in statutes.

section shall be guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than three hundred dollars for the first offense, and by a fine of not less than two hundred dollars nor more than five hundred dollars or by such fine and three months' imprisonment for each subsequent offense.

**89. *Regulating sale of oleomargarine; penalty.*** Whoever sells oleomargarine free from coloration or any ingredients that causes it to look like yellow butter, as provided in the previous section, from any dwellings, store, office or public market, shall have conspicuously posted therein a placard or sign in plain Roman letters not less than four inches in length "Oleomargarine Sold Here." Any person neglecting or failing to post the placard herein provided for shall be guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than three hundred dollars for the first offense, and one hundred dollars for each day's neglect so to post placard thereafter, and by a fine of not less than two hundred dollars nor more than five hundred dollars or by such fine and three months' imprisonment for each subsequent offense.

**90. *Sale of butter substitutes as butter; penalty.*** Whoever, by himself or his servants or agents, or as the servant or agent of any other person, sells or offers for sale to any person who asks, sends or inquires for butter, any oleomargarine, butterine or any substance made in imitation or semblance of butter not made entirely of milk or cream from the milk of cows, with or without coloring matter, shall be guilty of fraud, and shall be punished by a fine of one hundred dollars for the first offense and by imprisonment for three months for each subsequent offense.

**91. *Regulating use of oleomargarine in hotels, etc.*** No person, by himself, his servants or agents, or as the servant or agent of any other person, shall serve to patrons, guests, boarders or inmates of any hotel, eating-house, restaurant, cafe, or any place of public entertainment or boarding house or public or private hospital, asylum, school or penal institution or help employed therein, any article or substance made in violation of the provisions of Section eighty-eight, or any food made of the same or cooked in the same. Whoever, by himself, his servants or agents, serves to any patron or guest or boarder or inmate of any hotel, eating-house, restaurant, cafe or any place of public entertainment or boarding-house, or public or private hospital, asylum, school or penal institution, or help employed therein, oleomargarine free from coloration, or any ingredient to make it look like yellow butter, as provided in Section eighty-eight, in the place or stead of butter, shall orally notify said guest, patron, inmate or help, that the substance so furnished is not butter, and shall, in addition, conspicuously display at all times, on each and every side of the room where the latter is served a sign in plain Roman letters, not less than four inches in length, "Oleomargarine Used and Served Here." Any person violating the provisions of this section by neglecting or failing to give the oral notice and keeping the sign conspicuously posted on the walls of the room where the meals are served, shall be guilty of a misdemeanor, and shall be punished by a fine of fifty dollars for the first offense and by a fine of one hundred dollars and imprisonment for one month for each subsequent offense.—*Supplement to the Public General Laws, 1890-1900, art. 27, p. 35.*

**138c. *Standard for pure milk.*** For the purpose of Sections 138c, 138d, and 138e, the standard for pure milk shall be not more than eighty-seven and one-half per centum of water or fluids, and not less than twelve and one-half per centum of milk solids, of which at least three and one-half per centum shall be butter fats.

**138d. *Adulterated or unwholesome milk defined.*** For the purposes of said section milk shall be deemed to be sophisticated, adulterated or unwholesome when it does not contain twelve and one-half per centum of milk solids, of which three and one-half



per centum shall be butter fats; or to which has been added salt, boracic acid, salicylic acid, salicylate of soda, formaldehyde or any other acid, drug, compound or substance, or to which ice or water has been added for any purpose whatsoever; or which has been taken from an animal ten days before or five days after parturitions; or which has been taken from a sick or diseased animal; or which has been taken from animals fed in whole or in part on garbage or any substance in a state of fermentation or putrefaction, or food that produces impure, diseased or unwholesome milk, or from cows stabled near a house where there is an infectious disease; or from which a portion of the cream has been taken; but nothing in these sections shall be construed as prohibiting the addition of sugar in the manufacture of condensed or preserved milk, or as prohibiting the sale of pure skimmed milk, when sold as such, and from cans plainly and conspicuously marked with the sign or placard "Skimmed Milk" in capital letters, each of a size of not less than one inch square, or as prohibiting the sale of pure, wholesome milk, not complying with the provisions of Section 138c, for the manufacture therefrom of butter, cheese or other products. Nothing in this section shall be construed as prohibiting the feeding of ensilage from silos.

**138c. Penalty.** Whoever shall violate any of the provisions of Sections 138c and 138d shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than one hundred dollars or imprisoned for not more than sixty days, or both fined and imprisoned, in the discretion of the court, for each offense; said section not to apply to Montgomery County, except when said county shall ship or sell milk to Baltimore City, nor to limit the power of the Mayor and City Council of Baltimore to enact ordinances and regulations, not inconsistent with the provisions of these sections for the inspection and sale of milk or the products thereof in the City of Baltimore.

**138f. Regulating sale of condensed or preserved milk.** No condensed or preserved milk shall be manufactured, sold or exchanged, or offered or exposed for sale, or exchange unless the same be manufactured from or out of pure, clean, healthy, fresh, unadulterated and wholesome milk, from which the cream has not been removed either wholly or in part, or unless the portion of milk solids of same shall be in quantity the equivalent of twelve and fifty one-hundredths per centum of milk solids in crude milk, and of which milk solids three and fifty one-hundredths per centum shall be butter fats. No person shall manufacture, sell or exchange, or offer or expose for sale or exchange, any condensed or preserved milk unless the same be put up, packed or contained in packages with the name of the manufacturer of the said milk distinctly branded or stamped thereon. Whoever by himself or another violates any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars, nor more than one hundred dollars, or be imprisoned for not less than ten days, nor more than thirty days, or be punished by both such fine and imprisonment for the first offense, and by a fine of one hundred dollars or imprisonment for three months, or both such fine and imprisonment for each subsequent offense.—*Approved April 7, 1900. (Supplement to the Public General Laws, 1890-1900, art. 27, p. 40.)*

## FLOUR.

**109. Penalty for adulterating flour.** If any person shall mix, or cause to be mixed, any corn meal or other flour with wheat flour, for the purpose of selling or otherwise disposing of the same as wheat flour, or shall send the same out of the State for the purpose, or with the intent of selling or otherwise disposing of it, he, on conviction thereof, shall forfeit and pay for each and every such offence a sum not less than two hundred dollars nor more than one thousand dollars, one-half to the informer and the other half to the State. And in case such offender shall be unable to pay the

same, he shall suffer not less than three nor more than twelve months imprisonment, in the discretion of the court.

**110. Prosecutions.** It shall be the duty of every justice of the peace before whom any information may be lodged, and proof made, of any violation of the preceding section, to issue his warrant to any constable of the county in which the same shall be committed, commanding him to bring such offender before him or any other justice of the peace for said county, who shall recognize him in the sum of two thousand dollars, with good and sufficient security—or in case of neglect or refusal, then to commit such offender to prison, to take his trial at the next term of the circuit court for the county.—*Public General Laws, vol. 1, 1888, p. 498.*

## MASSACHUSETTS.

The duty of enforcing the food and drug laws of Massachusetts is divided between the State board of health and the dairy bureau of the board of agriculture. The proof sheets of this chapter were revised by Mr. Albert E. Leach, chemist of the State board of health.

### GENERAL FOOD LAWS.<sup>a</sup>

SEC. 4. *Duties of state board of health.* Said board shall take cognizance of the interests of health and life among the citizens of the commonwealth, make sanitary investigations and inquiries relative to the causes of disease, and especially of epidemics, the sources of mortality and the effects of localities, employments, conditions and circumstances on the public health, and relative to the sale of drugs and food and the adulteration thereof; and shall gather such information relative thereto as it considers proper for diffusion among the people. It shall advise the government relative to the location and other sanitary conditions of any public institutions, and shall have oversight of inland waters, sources of water supply and vaccine institutions. It shall annually examine all main outlets of sewers and drainage of cities and towns of the commonwealth, and the effect of sewage disposal, and shall annually report thereon to the general court, with such recommendations for the protection of the interests of persons and property and for the prevention of offensive odors and objectionable conditions as it considers expedient.

SEC. 5. *Food inspectors and chemists; penalty for hindering.* In the performance of its duties relative to the sale of drugs and food it may appoint inspectors, analysts and chemists, and may remove them. Such inspectors shall have the same power and authority relative to drugs and food as is given by sections forty-two and fifty-two of chapter fifty-six,<sup>b</sup> relative to milk, to the inspectors named therein. Whoever hinders, obstructs or in any way interferes with any such inspector, analyst or other officer appointed under the provisions of this section, while in the performance of his official duty, shall be punished by a fine of not more than fifty dollars for the first offence and of not more than one hundred dollars for each subsequent offence.

SEC. 6. *Expenditures in enforcement of law.* The state board of health may annually expend not more than eleven thousand five hundred dollars for the enforcement of the provisions of sections sixteen to twenty-seven, inclusive; but not less than three-fifths of said amount shall be annually expended for the enforcement of the laws against the adulteration of milk and milk products.

SEC. 7. *Prosecutions to be reported.* Said board shall annually report to the general court the number of prosecutions made under the provisions of sections sixteen to twenty-seven, inclusive, and an itemized account of the money expended in carrying out the provisions thereof.—*Revised Laws, 1902, vol. 1, ch. 75, pp. 657-658.*

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SEC. 16. *Adulterated products.* No person shall manufacture, offer for sale or sell, within this commonwealth, any drug or article of food which is adulterated within the meaning of section eighteen.

<sup>a</sup>See also Meats and Provisions.

<sup>b</sup>See pp. 160, 161.

SEC. 17. "*Drug*" and "*food*" defined. The term "*drug*" as used in sections sixteen to twenty-seven, inclusive, shall include all medicines for internal or external use, antiseptics, disinfectants and cosmetics. The term "*food*" as used therein shall include all articles, simple, mixed or compound, used in food or drink by man.

SEC. 18. *Adulteration defined.* A drug shall be deemed to be adulterated: 1. If, when sold under or by a name recognized in the United States pharmacopœia, it differs from the standard of strength, quality or purity prescribed therein, unless the order therefor requires an article inferior to such standard or unless such difference is made known or so appears to the purchaser at the time of the sale. 2. If, when sold under or by a name not recognized in the United States pharmacopœia but which is found in some other pharmacopœia or other standard work on materia medica, it differs materially from the standard of strength, quality or purity prescribed in such work. 3. If its strength, quality or purity falls below the professed standard under which it is sold.

Food shall be deemed to be adulterated: 1. If any substance has been mixed with it so as to reduce, depreciate, or injuriously affect its quality, strength or purity. 2. If an inferior or cheaper substance has been substituted for it wholly or in part. 3. If any valuable or necessary constituents or ingredients have been wholly or in part taken from it. 4. If it is an imitation of or is sold under the name of another article. 5. If it consists wholly or in part of a diseased, decomposed, putrid, tainted or rotten animal or vegetable substance or article, whether manufactured or not, or in case of milk, if it is produced by a diseased animal. 6. If it is colored, coated, polished or powdered in such a manner as to conceal its damaged or inferior condition, or if by any means it is made to appear better or of greater value than it is. 7. If it contains any added substance or ingredient which is poisonous or injurious to health. 8. If it contains any added antiseptic or preservative substance, except common table salt, saltpetre, cane sugar, alcohol, vinegar, spices, or, in smoked food, the natural products of the smoking process; but the provisions of this definition shall not apply to any such article if it bears a label on which the presence and percentage of every such antiseptic or preservative substance are clearly indicated, nor shall it apply to such portions of suitable preservative substances as are used as a surface application for preserving dried fish or meat, or as exist in animal or vegetable tissues as a natural component thereof, but it shall apply to additional quantities. Said definition shall not apply during the year nineteen hundred and two to goods which were held in stock by retail dealers prior to the first day of January in said year. The provisions of this and the two preceding sections relative to food shall not apply to mixtures or compounds not injurious to health and which are recognized as ordinary articles or ingredients of articles of food, if every package sold or offered for sale is distinctly labelled as a mixture or compound with the name and per cent of each ingredient therein.

SEC. 19. *Style of labels.* If a statement of any of the ingredients of an article of food or drink or of an article entering into food or drink is required by law to be stated upon the label of such article, such statement and the name and address of the manufacturer or vendor of the article shall be distinctly and conspicuously printed on the label in straight, parallel lines of plain, uncondensed legible type, well spaced on a plain ground. The statement of ingredients shall be clearly separated from and not interspersed or confused with other matter, shall specify every such ingredient by its ordinary name, and shall be in the English language. The letters of said type shall not be less than one-twelfth of an inch long, and shall be larger than those of any other printed matter on the label or package, except the name of the compound or chief article enclosed therein which may be in larger type. The required label shall be firmly attached to or printed on the exterior of the package or envelope of the said article, on the top or side thereof and in plain sight. But the state board of health may in writing approve specific labels not strictly in accordance with the above provisions, if it is of opinion that the information required by law is set forth

thereon clearly enough for the reasonable protection of the purchaser. Goods labelled in violation of the provisions of this section shall be subject to the provisions of law relative to adulteration of food which is unlabelled. Goods held in stock by retail dealers prior to the first day of January in the year nineteen hundred and two shall be exempt from the provisions of this section during said year.

SEC. 20. *Samples.* Whoever offers or exposes for sale or delivers to a purchaser any drug or article of food shall, upon application of an inspector, analyst or other officer or agent of the state board of health and upon tender to him of the value thereof, furnish a sample sufficient for the analysis of any such drug or article of food which is in his possession.

SEC. 21. *Reserved samples.* Before such sample is analyzed, a portion thereof shall be reserved and sealed by the analyst; and, upon a complaint against any person, such reserved portion shall, upon application, be delivered to the defendant or his attorney.

SEC. 22. *Labels on canned goods.* Canned articles of food shall not be offered for sale unless they bear a mark to indicate the grade or quality thereof and the name and address of the person who packed or who sells them.

SEC. 23. *Soaked goods to be so labeled.* All canned articles of food which have been prepared from dried products and have been soaked before canning shall be plainly marked by an adhesive label having on its face the word "soaked" in letters of legible type not smaller than two line pica. All cans, jugs and other packages containing maple syrup or molasses shall be plainly marked by an adhesive label having on its face the name and address of the person who made and prepared the same with the name and quality of the ingredients of the goods in letters of the size and description aforesaid.

SEC. 24. *False stamps or labels.* Whoever falsely stamps or labels any cans, jars or other packages containing fruit or food of any kind, or knowingly permits such stamping or labelling, or, except as hereinafter provided, violates any of the provisions of sections sixteen to twenty-seven, inclusive, shall be punished by a fine of not less than one hundred nor more than five hundred dollars; and whoever sells such goods so falsely stamped or labelled shall be punished by a fine of not less than ten nor more than one hundred dollars.

SEC. 25. *Injurious adulteration of foods; penalty.* Whoever, for the purpose of sale, fraudulently adulterates food with any substance injurious to health, or knowingly barter, gives away, sells or has in his possession with intent to sell any substance intended for food which has been adulterated with any substance injurious to health, shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year; and the articles so adulterated shall be forfeited and destroyed under the direction of the court.

SEC. 26. *Adulteration of drugs; penalty.* Whoever, for the purpose of sale, fraudulently adulterates any drug or medicine, or sells any fraudulently adulterated drug or medicine, knowing it to be adulterated, shall be punished by a fine of not more than four hundred dollars or by imprisonment for not more than one year; and such adulterated drugs and medicines shall be forfeited and destroyed under the direction of the court.

SEC. 27. *Drug standards.* If the standard of strength or purity of any drug has been raised since the issue of the last edition of the United States pharmacopœia, no prosecution relative to it shall be maintained until such change of standard has been published throughout the commonwealth.—*Revised Laws 1902, vol. 1, ch. 75, pp. 659-662.*

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SEC. 1. *Results of analyses and trade-marks, etc., of adulterated goods to be published.* The state board of health shall cause to be published as often as once each month in the official publication of said board, and also, if in its opinion the public health can be served thereby, may cause to be published in one or more papers in Massachusetts,

a certificate of the examination or analysis made by authority of said board during the preceding month of any article of food manufactured or offered for sale in the Commonwealth which is adulterated within the meaning of chapter seventy-five of the Revised Laws: and said board of health shall also cause to be published, with such certificate of examination, a statement of the trade-mark, brand-mark or name, with the name and place of business of the manufacturer which appear upon the package or box containing such adulterated article, or with the name and place of business of the wholesale dealer of whom the goods were obtained.

SEC. 2. This act shall take effect on the first day of July in the year nineteen hundred and two.—*Approved April 8, 1902. (Session Laws 1902.)*

### ALCOHOLIC BEVERAGES.

SEC. 1. *Addition of injurious ingredients; penalty.* Whoever, for the purpose of sale, adulterates any liquor used or intended for drink with Indian cockle, vitriol, grains of paradise, opium, alum, cochineal, capsicum, copperas, laurel water, logwood, Brazil wood, sugar of lead or any other substance which is poisonous or injurious to health, and whoever knowingly sells any such liquor so adulterated, shall be punished by imprisonment in the state prison for not more than three years; and the articles so adulterated shall be forfeited.—*Revised Laws, 1902, vol. 2, ch. 213, p. 1802.*

SEC. 17. *Liquor licenses to be subject to food and drug adulteration laws.* Each license shall be expressed to be subject to the following conditions: \* \* \*

Third, That spirituous or intoxicating liquor shall not be sold, exchanged or delivered, or exposed, offered, or kept for sale, exchange or delivery, upon the licensed premises unless it is of good standard quality and is free from any adulteration prohibited in the pharmacopoeia of the United States or by the laws relative to adulteration of drugs and food, for either a food or a drug. If it is marked, labelled or represented as being the product of any foreign country, it shall also be of the standard quality required for its legal sale for domestic use in the country of its reputed production. All such liquors which are sold, exchanged or delivered, or which are exposed or kept for sale, exchange or delivery, under a license of the sixth class, shall be of the quality required for their sale as drugs under the provisions of the laws relative to the adulteration of drugs and food.—*Revised Laws 1902, vol. 1, ch. 100, p. 840.*

SEC. 33. *Regulating trade in imported liquor.* Importers of liquors of foreign production which is imported under authority of the laws of the United States may own, possess, keep or sell such liquor in the original casks or packages in which it was imported and in quantities not less than those in which the laws of the United States require such liquor to be imported, and, when sold, it shall be as pure and unadulterated as when imported.—*Revised Laws 1902, vol. 1, ch. 100, p. 845.*

SEC. 1. *Inspector's office abolished.* The office of inspector and assayer of liquors is hereby abolished.

SEC. 2. *State board of health to inspect liquors.* The powers and duties heretofore conferred and imposed on the inspector and assayer of liquors are hereby conferred and imposed on the state board of health.

SEC. 3. This act shall take effect upon its passage.—*Approved February 25, 1902. (Session Laws, 1902.)*

## BAKING POWDERS.

SEC. 1. *Labels.* Whoever manufactures for sale within this state, or offers or exposes for sale or sells any baking powder or mixture or compound intended for use as a baking powder under any name or title whatsoever shall securely affix or cause to be securely affixed to the outside of every box, can or package containing such baking powder or like mixture or compound, a label distinctly printed in brier gothic capital letters, in the English language, containing the name and residence of the manufacturer and the ingredients of the baking powder, mixture or compound.

SEC. 2. *Penalty.* Whoever violates any provision of this act shall be punished by a fine of not less than ten nor more than one hundred dollars for each offence.

SEC. 3. *Effect.* This act shall take effect on the first day of April in the year nineteen hundred and three.—*Approved June 28, 1902.*

## CANDY.

SEC. 4. *Candy containing alcohol.* Whoever sells to a person under sixteen years of age any candy or other article enclosing liquid or syrup containing more than one per cent of alcohol shall be punished by a fine of not less than fifty nor more than one hundred dollars.

SEC. 6. *Candy or toys containing arsenic.* Whoever himself or by his agent or servant, or as the agent or servant of another person, manufactures, sells or exchanges, or has in his custody or possession with intent to sell or exchange, or exposes or offers for sale or exchange, any toys or confectionery, containing or coated wholly or in part with arsenic, shall be punished by a fine of not less than fifty nor more than one hundred dollars.—*Revised Laws, 1902, vol. 2, ch. 213, p. 1803.*

## CHOCOLATE.

SEC. 8. *Quality brands on chocolate.* Chocolate in cakes shall be made in pans in which shall be stamped the name of the manufacturer, the town in which he resides, the quality of the chocolate in figures, "No. 1," "No. 2," "No. 3," as the case may be and the letters Mass.

SEC. 9. *Three qualities defined; brand on boxes.* Quality number one shall be made of cocoa of the first quality and quality number two of cocoa of the second quality, and both shall be free from adulteration; quality number three may be made of the inferior kinds and qualities of cocoa. Each box containing chocolate shall be branded on the end thereof with the word "chocolate," the name of the manufacturer of the chocolate, the town in which it was manufactured and the quality, as described and directed in the preceding section for the pans.

SEC. 10. *Seizure of goods.* If chocolate manufactured in this commonwealth is offered for sale or found and is not of one of the qualities described in the two preceding sections or marked as therein directed, it may be seized and libelled.—*Revised Laws 1902, vol. 1, ch. 57, p. 558.*

## DAIRY PRODUCTS.

SEC. 11. *Dairy bureau of the board of agriculture; duties; expenses.* The dairy bureau of the board of agriculture shall consist of three members of said board, one of whom shall annually, before the first day of July, be appointed by the governor, with the advice and consent of the council, for a term of three years, or for such shorter term as he may continue a member of the board. The governor may, at any time, terminate the service of any member of said bureau, and thereupon, or upon any member thereof ceasing to be a member of the board, he may appoint another member in his

place. Each member of such bureau shall receive five dollars for each day of actual service and his travelling expenses, which shall be paid by the commonwealth out of the fund provided for in the following section. The bureau, under the general direction of the board of agriculture, shall inquire into the methods of making butter and cheese in creameries or cheese factories, investigate all dairy products and imitation dairy products bought or sold within the commonwealth, enforce the laws for the manufacture, transfer and sale thereof, and shall disseminate such information as will tend to produce a better quality thereof. The secretary of the board of agriculture shall be the executive officer of the bureau, subject to its control and direction, and shall receive, in addition to his salary as secretary, five hundred dollars a year from the commonwealth.

SEC. 12. *Annual expenditure; cooperation; report.* The bureau may expend not more than seven thousand dollars annually in its work, and it may co-operate with the State board of health and with inspectors of milk, but it shall not interfere with the duties of such board or officers. It shall annually, before the fifteenth day of January, report to the general court in detail the number of agents, assistants, experts, and chemists employed by it, with their expenses and disbursements, of all investigations made by it, of all cases prosecuted with the results thereof, and other information advantageous to the dairy industry.

SEC. 13. *Inspection rights; prosecution; hindering officers.* The bureau and its agents and assistants shall have access to all places of business, factories, buildings, carriages and cars used in the manufacture, transportation or sale of dairy products or imitations thereof, and to all vessels and cans used in such manufacture and sale, and shall have the authority given to the state board of health or its officers, or to inspectors of milk, to enforce and prosecute violations of all laws relating to dairy products or imitations thereof. Whoever hinders, obstructs or in any way interferes with an officer or duly authorized agent of the dairy bureau in the performance of his duty shall be punished by a fine of one hundred dollars for the first offence and of two hundred dollars for each subsequent offence, which shall be payable into the treasury of the commonwealth.—*Revised Laws, 1902, vol. 1, ch. 89, p. 779.*

SEC. 35. "*Oleomargarine*," "*butter*," and "*cheese*" defined. For the purpose of sections thirty-six to forty-seven, inclusive, the word "*oleomargarine*" shall, in addition to its ordinary meaning, include "*butterine*," "*imitation butter*" and any article, substance or compound made in imitation or semblance of butter or as a substitute for butter and not made exclusively and wholly of milk or cream, or containing any fats, oils or grease not produced from milk or cream, and for the purposes of sections thirty-seven, thirty-eight and forty-one to forty-seven, inclusive, the terms "*butter*" and "*cheese*" shall mean the products which are usually known by these names and are manufactured exclusively from milk or cream, with salt and rennet, and with or without coloring matter.

SEC. 36. *Labeling of oleomargarine, etc.* Whoever, himself or by his agent, sells, exposes for sale or has in his possession with intent to sell, oleomargarine shall have the word "*oleomargarine*" or "*butterine*" stamped, labelled or marked, so that said word cannot be easily defaced, upon the top, side and bottom of every tub, firkin, box or package containing any of said oleomargarine. Whoever, himself or by his agent, exposes or offers for sale oleomargarine not in the original package shall attach thereto in a conspicuous place a label bearing the words "*imitation butter*," or the word "*oleomargarine*" or "*butterine*." In retail sales of oleomargarine not in the original package the seller shall attach to each package so sold, and shall deliver therewith to the purchaser, a label or wrapper bearing in a conspicuous



place upon the outside of the package the words "imitation butter," or the word "oleomargarine" or "butterine." All said stamps, labels and marks shall be in printed letters in a straight line of plain, uncondensed gothic type, not less than one-half inch in length.

SEC. 37. *Labeling of imitation cheese.* Whosoever, himself or by his agent, sells, exposes for sale, or has in his possession with intent to sell, any article, substance, or compound made in imitation or semblance of cheese, or as a substitute for cheese, and not made exclusively and wholly of milk or cream, or containing any fats, oils, or grease not produced from milk or cream, shall have the words "IMITATION CHEESE," stamped, labelled, or marked, in printed letters of plain, uncondensed gothic type, not less than one inch in length, so that the words cannot be easily defaced, upon the side of every cheese-cloth or band around the same, and upon the top and side of every tub, firkin, box, or package containing any of said article, substance, or compound. In retail sales of any of said article, substance, or compound not in the original package, the seller shall attach to each package so sold at retail, and shall deliver therewith to the purchaser, a label or wrapper bearing in a conspicuous place upon the outside of the package the words "IMITATION CHEESE," in printed letters of plain, uncondensed gothic type, not less than one-half inch in length.

SEC. 38. *Penalty for neglect to label or false labeling.* Whoever sells, exposes for sale, or has in his possession with intent to sell, any article, substance, or compound made in imitation or semblance of butter or cheese, or as a substitute for butter or cheese, except as provided in the two preceding sections, and whoever, with intent to deceive, defaces, erases, cancels, or removes any mark, stamp, brand, label, or wrapper provided for in said sections, or in any manner shall falsely label, stamp, or mark any box, tub, article, or package marked, stamped, or labelled as aforesaid, or whoever, himself or by his agent, sells, exposes for sale, or has in his possession with intent to sell, oleomargarine, contained in any box, tub, article or package, marked or labelled with the word "dairy" or the word "creamery," or the name of any breed of dairy cattle, shall for the first offence forfeit one hundred dollars and for each subsequent offence two hundred dollars to the use of the city or town in which the offence was committed.

SEC. 39. *Licenses for conveying oleomargarine; fees; marking of wagons; penalty.* Every person who conveys oleomargarine in carriages or otherwise, for the purpose of selling the same in any city or town, shall annually, in May, be licensed by an inspector of milk of such city or town to sell the same within the limits thereof, and shall pay therefor to such inspector fifty cents to the use of the city or town. The inspector shall pay over monthly to the treasurer of such city or town all money collected by him. In towns in which there is no inspector of milk, licenses shall be issued by the town clerk. Licenses shall be issued only in the names of the owners of carriages or other vehicles, and shall be conclusive evidence of ownership. No license shall be sold, assigned or transferred. Each license shall be numbered and shall state the name, residence, place of business, number of carriages or other vehicles used, and the name and residence of every driver or other person engaged in carrying oleomargarine. Each licensee shall before engaging in the sale of oleomargarine cause his name, the number of his license and his place of business to be legibly placed on each outer side of all carriages or vehicles used by him in the conveyance and sale thereof, in gothic letters not less than one inch in length, and he shall report to the inspector any change of driver or other person employed by him which may occur during the term of his license. Whoever, without being first licensed, sells oleomargarine, or exposes or offers it for sale from carriages or other vehicles or has it in his custody or possession with intent so to sell, and whoever violates any of the provisions of this section, shall, for a first offence, be punished by

a fine of not less than thirty nor more than one hundred dollars, and, for a second offence by a fine of not less than fifty nor more than three hundred dollars.

SEC. 40. *Registration of dealers in oleomargarine; penalty.* Every person, before selling or offering for sale oleomargarine in a store booth, stand or market-place in a city or in a town in which an inspector of milk is appointed, shall annually, in May, register in the books of such inspector, or if there is no inspector then in the books of the town clerk, his name and proposed place of sale, and shall pay fifty cents for the registering to the use of such city or town. Whoever neglects so to register shall be punished by a fine of not more than twenty dollars.

SEC. 41. *Trade in imitation butter; penalty.* Whoever, himself or by his agent or servant, renders, manufactures, sells, offers for sale, exposes for sale, takes orders for the future delivery of, has in his possession, keeps in storage, distributes, delivers, transfers or conveys with intent to sell, within the commonwealth, any article, product or compound made wholly or partly out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment for not more than one year; but the provisions of this section shall not prohibit the manufacture or sale of oleomargarine in a separate and distinct form and in such manner as will advise the consumer of its real character, free from any coloration or ingredient which causes it to look like butter.

SEC. 42. *Sampling and analysis of suspected butter or cheese; penalty for hindrance.* Inspectors of milk shall, if they have reasonable cause to believe that the provisions of sections thirty-six to forty-seven, inclusive, have been violated, and on the information of any person who lays before them satisfactory evidence by which to sustain such complaints, institute complaints for violations of said sections. They may enter all places in which butter, cheese or imitations thereof are stored or kept for sale, and shall take samples of suspected butter, cheese or imitations thereof and cause them to be analyzed or otherwise satisfactorily tested, and shall record and preserve the result of such analysis or test as evidence. Before commencing the analysis of any sample in proceedings under sections thirty-six, thirty-seven and thirty-eight, the analyst shall reserve and seal a portion of the sample, and, upon a complaint against any person, such reserved portion of the sample alleged to be adulterated shall, upon application, be delivered to the defendant or his attorney. The expense of such analysis or test, not exceeding twenty dollars in any one case, may be included in the expenses of such prosecutions. Whoever hinders, obstructs or in any way interferes with an inspector or his agent in the performance of his duty under the provisions of this section shall be punished by a fine of fifty dollars for the first offence and of one hundred dollars for each subsequent offence.

SEC. 43. *Oleomargarine sold as butter; penalty.* Whoever, himself or by his agent, sells or offers for sale to any person who asks, sends or inquires for butter, any oleomargarine, shall be punished by a fine of one hundred dollars for each offence.

SEC. 44. *Oleomargarine unlabeled; penalty.* Whoever exposes for sale oleomargarine which is not marked and distinguished by all the marks, words and stamps required by law, and does not have upon the exposed contents of every opened tub, package or parcel thereof a conspicuous placard with the word "oleomargarine" printed thereon in plain, uncondensed gothic letters not less than one inch long, shall be punished by a fine of one hundred dollars for each offence.

SEC. 45. *Placards where oleomargarine is sold; penalty.* Whoever sells oleomargarine from any dwelling, store, office or public mart which does not have conspicuously posted thereon the placard or sign, in letters not less than four inches in length, "oleomargarine sold here," or "butterine sold here," approved by the dairy bureau, shall be punished by a fine of one hundred dollars for the first offence

and one hundred dollars for each day's neglect after conviction for the first offence.

SEC. 46. *Unmarked oleomargarine wagons, etc.; penalty.* Whoever himself or by his agent, peddles, sells, solicits orders for the future delivery of or delivers from any cart, wagon or other vehicle, oleomargarine, not having on both sides of said cart, wagon or other vehicle the placard in uncondensed gothic letters, not less than three inches in length, "licensed to sell oleomargarine" shall be punished by a fine of one hundred dollars or by imprisonment for thirty days for each offence.

SEC. 47. *Use of oleomargarine in hotels, etc.; penalty.* Whoever furnishes oleomargarine or causes it to be furnished in any hotel, restaurant or boarding house or at any lunch counter, to a guest or patron thereof, instead of butter, without notifying said guest or patron that the substance so furnished is not butter shall be punished by a fine of not less than ten nor more than fifty dollars for each offence.

SEC. 48. *Renovated butter must be labeled; penalty.* Whoever himself or by his agent, or as the servant or agent of another person, sells, exposes for sale or has in his custody or possession with intent to sell, any article or compound which is produced by taking original packing stock or other butter, or both, melting the same, so that the butter fat can be drawn off, mixing the said butter fat with skimmed milk, or milk or cream, or other milk product, and re-churning the said mixture, or by any similar process, and is commonly known as process butter, shall have the words "renovated butter" conspicuously stamped, labelled or marked, in a straight line in printed letters, not less than one-half inch in length, of plain, uncondensed gothic type, so that said words cannot be easily defaced, upon the top side and bottom of every tub, firkin, box or package containing said article or compound. The seller at retail of said article or compound, which is not in the original package, shall himself or by his agent deliver therewith to the purchaser a label or wrapper bearing in a conspicuous place upon the outside of the package the words "renovated butter" in printed letters not less than one-half inch in length in a straight line of plain uncondensed gothic type. Whoever violates the provisions of this section shall be punished by a fine of not less than one hundred nor more than five hundred dollars or by imprisonment for not more than one year.

SEC. 49. *Labeling of compound lard; penalty.* No person shall sell, deliver, prepare, put up, expose or offer for sale any lard or any article intended for use as lard, which contains any ingredient except the pure fat of swine, in any tierce, bucket, pail or other vessel or wrapper, or under any label, bearing the words "pure," "refined," "family," or either of them, alone or in combination with other words; but every vessel, wrapper or label in or under which such article is sold, delivered, prepared, put up or exposed for sale by him shall bear on the top or outer side thereof, in letters not less than one-half inch in length and plainly exposed to view, the words "compound lard." Whoever violates the provisions of this section shall be punished by a fine of not more than fifty dollars for the first offence or of not more than one hundred dollars for a subsequent offence.

SEC. 50. *Disposal of fines.* All fines recovered under the provisions of section forty-three, forty-four, forty-five, forty-six and forty-seven shall be payable to the commonwealth.

SEC. 51. *City milk inspectors.* The mayor and aldermen of cities shall, and the selectmen of towns may, annually appoint one or more inspectors of milk for their respective cities and towns. Each inspector shall be sworn before entering upon the performance of his official duties and shall publish a notice of his appointment for two weeks in a newspaper published in his city or town, if any; otherwise he shall post such notice in two or more public places in such city or town. He shall receive such compensation as the mayor and aldermen or selectmen may determine.

SEC. 52. *Record of milk dealers; sampling and analysis of milk.* Such inspectors shall keep an office and shall record, in books kept for the purpose, the names and

places of business of all persons engaged in the sale of milk within their city or town. They may, with the approval of the mayor or selectmen, employ collectors of samples of milk, who shall be sworn before entering upon their duties. The inspectors or collectors may enter all places in which milk is stored or kept for sale and all carriages used for the conveyance of milk, and may take therefrom samples for analysis. They shall, upon request made at the time such sample is taken, seal and deliver to the owner or person from whose possession the milk is taken a portion of each sample, and a receipt therefor shall be given to the inspector or collector. Inspectors shall cause such samples to be analyzed or otherwise satisfactorily tested, and shall record and preserve as evidence the result thereof; but no evidence of the result of such analysis or test shall be received if the inspector or collector on request, refuses or neglects to seal and deliver a portion of the sample taken as aforesaid to the owner or person from whose possession it is taken.

SEC. 53. *Licenses for milk wagons; penalty.* Whoever, in cities and in towns in which an inspector of milk is appointed, conveys milk in carriages or otherwise for the purpose of selling it in such city or town shall annually, before the first day of June, be licensed by the inspector of milk of such city or town to sell milk within the limits thereof, and shall pay to such inspector fifty cents to the use of the city or town. The inspector shall pay over monthly to the city or town treasurer all money collected by him. Licenses shall be issued only in the names of the owners of carriages or other vehicles. They shall, for the purposes of this chapter, be conclusive evidence of ownership and shall not be sold, assigned or transferred. Each license shall contain the number thereof, the name, residence, place of business, number of carriages or other vehicles used by the licensee and the name of every driver or other person employed by him in carrying or selling milk. Each licensee shall, before engaging in the sale of milk, cause his name, the number of his license and his place of business to be legibly placed on each outer side of all carriages or other vehicles used by him in the conveyance and sale of milk, and he shall report to the inspector any change of driver or other person who may be employed by him occurring during the term of his license. Whoever, without being first so licensed, sells milk or exposes it for sale from carriages or other vehicles, or has it in his custody or possession with intent so to sell, and whoever violates any of the provisions of this section, shall for a first offence be punished by a fine of not less than thirty nor more than one hundred dollars, for a second offence by a fine of not less than fifty nor more than three hundred dollars and for a subsequent offence by a fine of fifty dollars and by imprisonment for not less than thirty nor more than sixty days.

SEC. 54. *Registration of milk dealers; fee; penalty.* Every person, before selling milk or offering it for sale in a store, booth, stand or market-place in a city or in a town in which an inspector of milk is appointed, shall register in the books of such inspector his name and proposed place of sale, and shall pay to him fifty cents to the use of such city or town. Whoever neglects so to register, shall be punished by a fine of not more than twenty dollars.

SEC. 55. *Adulterated or diluted milk; penalty.* Whoever, himself or by his servant or agent, or as the servant or agent of another person, sells, exchanges or delivers, or has in his custody or possession with intent to sell, exchange or deliver or exposes or offers for sale or exchange, adulterated milk or milk to which water or any foreign substance has been added, or milk produced from cows which have been fed on the refuse of distilleries, or from sick or diseased cows, or as pure milk, milk from which the cream or a part thereof has been removed, and whoever sells, exchanges or delivers or has in his custody or possession with intent to sell, exchange or deliver, skimmed milk containing less than nine and three-tenths per cent of milk solids exclusive of fat, shall for a first offence be punished by a fine of not less than fifty nor more than two hundred dollars, for a second offence by a fine of not less than one hundred nor more than three hundred dollars and for a subsequent offence by a

fine of fifty dollars and by imprisonment for not less than sixty nor more than ninety days.

SEC. 56. *Milk standard.* In prosecutions under the provisions of sections fifty-one to sixty-four, inclusive, milk which, upon analysis is shown to contain in April, May, June, July, August and September less than twelve per cent of milk solids, or less than nine per cent of milk solids exclusive of fat, or less than three per cent of fat, and in the other months to contain less than thirteen per cent of milk solids, or less than nine and three-tenths per cent of milk solids exclusive of fat, or less than three and seven-tenths per cent of fat, shall not be considered milk of good standard quality.

SEC. 57. *Sale of milk below standard; penalty.* Whoever, himself or by his servant or agent or as the servant or agent of another person, sells, exchanges or delivers, or has in his custody or possession with intent to sell, exchange or deliver, milk which is not of good standard quality shall for a first offence be punished by a fine of not more than fifty dollars, for a second offence by a fine of not less than one hundred nor more than two hundred dollars, and for a subsequent offence by a fine of fifty dollars and by imprisonment for not less than sixty nor more than ninety days.

SEC. 58. *Skimmed milk must be labeled.* Whoever, himself or by his agent, sells, exchanges or delivers or has in his custody or possession with intent to sell, exchange or deliver, milk from which the cream or a part thereof has been removed, not having the words "skimmed milk" distinctly marked upon a light ground in plain, dark, uncondensed gothic letters at least one inch in length in a conspicuous place upon every vessel, can or package from or in which such milk is, or is intended to be, sold, exchanged or delivered shall be punished as provided in section fifty-five. If such vessel, can or package is of the capacity of not more than two quarts, said words may be placed upon a detachable label or tag attached thereto and said letters may be less than one inch in length.

SEC. 59. *Brand for condensed milk.* Whoever sells, or offers for sale or exchange, condensed milk or condensed skimmed milk in hermetically sealed cans without having such cans distinctly labeled with the name of the manufacturer of such milk, the brand under which it is made and the contents of the can; and whoever sells condensed milk from cans or packages not hermetically sealed without having such cans or packages branded or labeled with the name of the manufacturer, shall be punished as provided in section fifty-five.

SEC. 60. *Counterfeiting inspector's seal, etc; penalty.* Whoever makes, causes to be made, uses or has in his possession, an imitation or counterfeit of a seal used by an inspector of milk, collector of samples or other officer engaged in the inspection of milk, and whoever changes or tampers with a sample taken or sealed as provided in section fifty-two, shall be punished by a fine of one hundred dollars and by imprisonment for not less than three nor more than six months.

SEC. 61. *Violation of law by milk inspector; penalty.* Any inspector of milk, or his servant or agent, who wilfully connives at or assists in a violation of the provisions of sections fifty-one to sixty-four, inclusive, or of section seventy, or whoever except as provided in section forty-two, hinders, obstructs or interferes with an inspector of milk or his servant or agent in the performance of his duty, shall be punished by a fine of not less than one hundred nor more than three hundred dollars or by imprisonment for not less than thirty nor more than sixty days.

SEC. 62. *Condition under which milk producer is exempt.* A producer of milk shall not be liable to prosecution for the reason that the milk produced by him is not of good standard quality unless such milk was taken upon his premises or while in his possession or under his control by an inspector of milk, by a collector of samples of milk, or by an agent of the dairy bureau or of the state board of health, and a sealed sample thereof was given to him.

SEC. 63. *Report of results of analysis.* An officer of the state board of health or of the dairy bureau, an inspector of milk or collector of samples or other state, city or town officer who obtains a sample of milk for analysis shall, within ten days after obtaining the result of the analysis, send it to the person from whom the sample was taken or to the person responsible for the condition of such milk.

SEC. 64. *Complaints.* An inspector shall make a complaint for a violation of any of the provisions of sections fifty-one to sixty-nine, inclusive, upon the information of any person who lays before him satisfactory evidence by which to sustain such complaint.—*Revised Laws, 1902, vol. 1, ch. 56, pp. 547-554.*

SEC. 5. *Feeding of milch cows; penalty.* Whoever knowingly feeds or has in his possession with intent to feed to a milch cow any garbage, refuse or offal collected by a city or town, or by any person having authority from any city or town, by contract or otherwise, shall be punished by imprisonment for not more than sixty days or by a fine of not more than one hundred dollars; and whoever knowingly feeds or has in his possession with intent to feed to any food animal, except swine, any garbage, refuse or offal collected by a city of more than thirty thousand inhabitants, by contract or otherwise, shall be punished by imprisonment for not more than thirty days or by a fine of not more than fifty dollars.—*Revised Laws, 1902, ch. 213, vol. 2, p. 1803.*

#### MEAT AND PROVISIONS.

SEC. 70. *Seizure of diseased carcasses, etc., by board of health; disposal of money.* Boards of health of cities and towns may inspect the carcasses of all slaughtered animals and all meat, fish, vegetables, produce, fruit or provisions of any kind found in their cities or towns, and for such purpose may enter any building, enclosure or other place in which such carcasses or articles are stored, kept or exposed for sale. If, on such inspection, it is found that such carcasses or articles are tainted, diseased, corrupted, decayed, unwholesome or, from any cause, unfit for food, the board of health shall seize the same and cause it or them to be destroyed forthwith or disposed of otherwise than for food. All money received by the board of health for property disposed of as aforesaid shall, after deducting the expenses of said seizure, be paid to the owner of such property. If the board of health seizes or condemns any such carcass or meat for the reason that it is infected with a contagious disease, it shall immediately give notice to the board of cattle commissioners of the name of the owner or person in whose possession it was found, the nature of the disease and the disposition made of said meat or carcass.

SEC. 71. *Inspection of veal.* The board of health may inspect all veal found, offered or exposed for sale or kept with the intent to sell in its city or town and if, in its opinion, said veal is that of a calf less than four weeks old when killed, the board shall seize and destroy or dispose of it as provided in the preceding section, subject, however, to the provisions thereof relative to the disposal of money.

SEC. 72. *Hindering inspectors of meats or provisions; penalty.* Whoever prevents, obstructs or interferes with the board of health in the performance of its duties as provided herein, or hinders, obstructs or interferes with any inspection or examination by it, or whoever secretes or removes any carcass, meat, fish, vegetables, fruit or provisions of any kind, for the purpose of preventing the same from being inspected or examined under the provisions of sections seventy to seventy-six, inclusive, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than sixty days, or by both such fine and imprisonment.

SEC. 73. *Sale of tainted or diseased food; penalty.* Whoever knowingly sells, offers or exposes for sale or has in his possession with intent to sell for food any diseased animal or any product thereof, or any tainted, diseased, corrupted, decayed or

unwholesome carcass, meat, fish, vegetables, produce, fruit or provisions of any kind shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than sixty days, or by both such fine and imprisonment; and whoever knowingly sells any kind of diseased, corrupted or unwholesome provisions, whether for meat or drink, without making their condition fully known to the buyer shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than six months.

SEC. 74. *Sale of veal; penalty.* Whoever kills or causes to be killed or knowingly sells, offers or exposes for sale or has in his possession with intent to sell for food the veal of a calf killed when less than four weeks old shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than sixty days, or by both such fine and imprisonment.

SEC. 75. *Publication of condemned foods and convictions.* The board of health for the city or town in which any animal or property has been condemned under the provisions of sections seventy and seventy-one may cause a description of the place in which such condemned property was found, the name of every person in whose possession it was found and the name of every person convicted of an offence under the provisions of the two preceding sections to be published in two newspapers published in the county in which such property was found.

SEC. 76. *Dressed poultry.* Whoever knowingly sells or exposes for sale poultry, unless it is alive, before it has been properly dressed by the removal of the crop and entrails if they contain food, shall be punished by a fine of not less than five nor more than fifty dollars for each offence. Boards of health shall cause the provisions of this section to be enforced in their respective cities and towns.—*Revised Laws, 1902, vol. 1, ch. 56, p. 555.*

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SEC. 9. *Coloring of sausages; penalty.* Whoever, in the manufacture of sausages, uses any coloring matter injurious to health shall be punished by a fine of not more than one hundred dollars for each offence.—*Revised Laws, 1902, vol. 2, ch. 213, p. 1804.*

#### VINEGAR.

SEC. 66. *Adulterated or misbranded vinegar.* Whoever, himself or by his servant or agent or as the servant or agent of another person, sells, exchanges or delivers or has in his custody or possession with intent to sell, exchange, or deliver or exposes or offers for sale or exchange adulterated vinegar, or whoever labels, brands or sells, as cider vinegar or as apple vinegar, any vinegar not the legitimate product of pure apple juice or not made exclusively from apple cider, shall be punished by a fine of not more than one hundred dollars.

SEC. 67. *Vinegar standard.* Vinegar shall contain no artificial coloring matter, and shall have an acidity equal to the presence of not less than four and one-half per cent by weight of absolute acetic acid. Cider vinegar shall, in addition, contain not less than two per cent by weight of cider vinegar solids upon full evaporation over boiling water. If vinegar contains any artificial coloring matter, or less than the required amount of acidity, or if cider vinegar contains less than the required amount of acidity or of cider vinegar solids, it shall be deemed to be adulterated.

SEC. 68. *Use of injurious ingredients; penalty.* Every person who manufactures for sale, or offers or exposes for sale, any vinegar found upon proper tests to contain any preparation of lead, copper, sulphuric acid or other ingredient injurious to health shall for each such offence be punished by a fine of not less than one hundred dollars.

SEC. 69. *Enforcement of law by milk inspectors.* Inspectors of milk shall cause the provisions of the three preceding sections to be enforced.—*Revised Laws, 1902, vol. 1, p. 567.*

## MICHIGAN.

Michigan has a State dairy and food commissioner whose duty it is to administer all food laws. Mr. R. E. Doolittle, chemist of the Michigan dairy and food department, who kindly revised the proof of this chapter, calls attention to the following desiderata:

1. Means should be provided whereby the manufacturers or their representatives can be held responsible for goods sold.
2. Some provision for fixing standards should be made.
3. An attorney with chemical training should be retained to assist the prosecuting attorneys.
4. The use of food preservatives should be regulated.
5. The candy law (p. 173) should be rearranged and brought under the general form of the other statutes (the word "knowingly" should be omitted).

### GENERAL FOOD LAWS. <sup>a</sup>

**5010.** (1) *Adulteration of food for sale.* That no person shall within this State manufacture for sale, have in his possession with intent to sell, offer or expose for sale, or sell, any article of food which is adulterated, within the meaning of this act.—*As amended, P. A. 1897, p. 128.*

**5011.** (2) *Food defined.* The term food, as used herein, shall include all articles used for food or drink, or intended to be eaten or drank by man, whether simple, mixed or compound.

**5012.** (3) *Adulteration defined.* An article shall be deemed to be adulterated within the meaning of this act: First, If any substance or substances have been mixed with it, so as to lower or depreciate or injuriously affect its quality, strength or purity; Second, If any inferior or cheaper substance or substances have been substituted wholly or in part for it; Third, If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; Fourth, If it is an imitation of, or is sold under the name of another article; Fifth, If it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance or article, whether manufactured or not, or, in the case of milk, if it is the product of a diseased animal; Sixth, If it is colored, coated, polished or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is; Seventh, If it contains any added substance or ingredient which is poisonous or injurious to health: Provided, That nothing in this act shall prevent the coloring of pure butter: And provided further, That the provisions of this act shall not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package sold or offered for sale bear the name and address of the manufacturer and be distinctly labeled under its own distinctive name, and in a manner so as to plainly and correctly show that it is a mixture or compound, and is not in violation with definition fourth and seventh of this section.—*As amended, P. A. 1897, p. 128.*

<sup>a</sup> See also Dairy Products.



**5013.** (4) *Lawful butter defined; penalty.* No person, by himself or his agents or servants, shall manufacture for sale or offer or expose for sale, or sell, as butter, and the legitimate product of the dairy or creamery, any article not made exclusively of milk or cream, but into which the oil or fat of animals or any other oils not produced from milk, enters as a component part, has been introduced to take the place of cream. Whoever violates the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars and the costs of prosecution, or by imprisonment in the county jail or the State House of Correction and Reformatory at Ionia for not less than ninety days nor more than two years, or by both such fine and imprisonment in the discretion of the court, for each and every offense.

**5014.** (5) *Lawful cheese defined; penalty.* No person shall manufacture, deal in, sell, offer or expose for sale or exchange any article or substance in the semblance of or in imitation of cheese made exclusively of unadulterated milk or cream, or both, into which any animal, intestinal or offal fats or oils, or melted butter in any condition or state, or modification of the same, or oleaginous substances of any kind not produced from unadulterated milk or cream shall have been introduced. Whoever shall violate the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars and the costs of prosecution, or by imprisonment in the county jail or the State House of Correction and Reformatory at Ionia for not less than ninety days nor more than two years, or by both such fine and imprisonment in the discretion of the court, for each and every offense.

**5015.** (6) *“Full milk cheese” to be branded as such; registration; penalty.* Every manufacturer of full milk cheese may put a brand upon each cheese, indicating “Full milk cheese,” and no person shall use such a brand upon any cheese made from milk from which any of the cream has been taken. It shall be the duty of the proprietor of every cheese factory, creamery or butter factory in the State, where milk or cream is purchased of or contributed by three or more persons, to register the location of such cheese factory, creamery or butter factory, and the name of its owner or manager, with the Dairy and Food Commissioner, on or before the first day of October, A. D. eighteen hundred and ninety-seven, and on or before the first day of April in each year thereafter. Whoever violates any of the provisions of this section, in so far as it relates to registration, shall be deemed guilty of a misdemeanor, and for each and every offense shall be punished by a fine of not less than five dollars nor more than twenty-five dollars, and the costs of prosecution, or by imprisonment in the county jail for not more than thirty days, or both.—As amended, P. A. 1897, p. 129.

**5016.** (7) *Commissioner to issue brands for cheese.* The Dairy and Food Commissioner shall procure and issue to the cheese manufacturers of the State, on proper application, which application shall be made on or before the first day of October, A. D. eighteen hundred and ninety-five, and on or before the first day of April in each year thereafter, and under such regulation as to the custody and use thereof as he may prescribe, a uniform stencil brand, bearing a suitable device or motto, and the words, “Michigan full cream cheese.” Every such brand shall be used on the outside of the cheese, and upon the package containing the same, and shall bear a separate number for each separate factory. The said commissioner shall keep a book in which shall be registered the name, location and number of each manufactory using the brand, and the name or names of persons at each factory authorized to use the same. No such brand shall be used on other than full cream cheese or packages containing the same. The commissioner shall receive a fee of one dollar for each registration, said fee to be paid by the party applying for the same, which amount shall be accounted for and used as a part of the fund appropriated for the enforcement of the laws of this State, with which the Dairy and Food Commissioner is charged.

**5017.** (8) *False brands.* No person shall knowingly offer, sell or expose for sale, in any package, cheese which is falsely branded or labeled.

**5018.** (9) *Lawful lard defined.* No person shall within this State manufacture for sale, have in his possession with intent to sell, offer or expose for sale, or sell as lard any substance not the legitimate and exclusive product of the fat of the hog.

**5019.** (10) *Sale of lard imitations regulated; labels.* Every person who manufactures for sale, has in his possession with intent to sell, offers or exposes for sale, or sells, any substance made in the semblance of lard, or as an imitation of lard, and which consists of any mixture or compound of animal or vegetable oils, or fats other than hog fat, in the form of lard, shall cause the tierce, barrel, tub, pail or package containing the same to be distinctly and legibly branded or labeled "Lard substitute or compound," and every person who manufactures for sale, has in his possession with intent to sell, offers or exposes for sale, or sells, any substance made in the semblance of lard or as an imitation of lard, or as a substitute for lard, and which is designed to take the place of lard, and which consists of any mixture or compound of lard with animal or vegetable oils or fats, shall cause the tierce, barrel, tub, pail or package containing the same to be distinctly and legibly branded or labeled either "Adulterated lard," "Lard compound," or "Lard substitute." Such brands or labels shall be in letters not less than one inch in length and shall be followed with the name of the maker and factory, and the location of such factory.

**5020.** (11) *Packages containing lard substitute to be labeled.* Every dealer or trader who, by himself or agent, or as the servant or agent of another person, offers or exposes for sale, or sells, any form of lard substitute or adulterated lard, as hereinbefore defined, shall securely affix or cause to be affixed to the package wherein the same is contained, offered for sale or sold, a label, upon the outside and face of which is distinctly and legibly printed in letters not less than one-half inch in length, the words, "Lard substitute" or "Adulterated lard" or "Lard compound," or other appropriate words, which shall correctly express its nature and use.

**5021.** (12.) *Possession of unlabeled lard substitutes.* The having in possession of any lard substitute or adulterated lard or lard compound, as hereinbefore defined, which is not branded or labeled as hereinbefore required and directed, upon the part of any dealer or trader, or any person engaged in the public sale of such articles, shall for the purpose of this act be deemed prima facie evidence of intent to sell the same.

**5022.** (13.) *Lawful jelly defined; labels; penalty.* No person, firm or corporation in this State shall manufacture for sale, or sell, or offer or expose for sale, as fruit jelly or fruit butter, any jelly or imitation fruit butter, or other similar compound made or composed in whole or in part of glucose, dextrine, starch or other substances, and colored in imitation of fruit jelly or fruit butter; nor shall any such jelly, fruit butter or compound be manufactured or sold, or offered for sale, under any name or designation whatever, unless the same shall be composed entirely of ingredients not injurious to health and shall not be colored in imitation of fruit jelly, and every can, pail or package of such jelly or butter sold in this State shall be distinctly and durably labeled "Imitation fruit jelly or butter," with the name of the manufacturer and the place where made. Whoever violates the provisions of this section shall be deemed guilty of a misdemeanor, and when convicted thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia for not less than ninety days nor more than two years, or by both such fine and imprisonment in the discretion of the court.

**5023.** (14.) *Canned goods to be labeled.* No packer or dealer in preserved or canned fruits and vegetables, or other articles of food shall sell or offer for sale such canned articles, unless such articles shall be entirely free from substances or ingredients deleterious to health, and unless such articles bear a mark, stamp, brand or label bearing the name and address of the firm, person or corporation that packs the same.

All "soaked or bleached goods," or goods put up from products dried before canning, shall be plainly marked, branded, stamped or labeled as such, with the words "Soaked or bleached goods," in letters not less than two-line pica in size, showing the name of the article and the name and address of the packer.

**5024.** (15.) *Coffee compounds and mixtures to be labeled as such; molasses and syrups.* No person shall manufacture or sell, or offer for sale, any manufactured or artificial coffee berry in imitation of the genuine berry. No person shall manufacture, sell, or offer or expose for sale, any ground or prepared coffee, which is adulterated with chicory or other substance not injurious to health, unless each package thereof shall be distinctly labeled or marked "Coffee compound," together with the name and address of the manufacturer or compounder thereof, and has no other label of whatever name or designation. No person shall offer or expose for sale, or have in his possession with intent to sell, or sell, any molasses, syrup or glucose, unless the barrel, cask, keg, can or pail containing the same shall be distinctly branded or labeled with the true and appropriate name; nor shall any person offer or expose for sale, have in his possession with intent to sell, or sell any molasses or syrup mixed with glucose, unless the barrel, cask, keg or pail containing the same be distinctly branded or labeled "Glucose mixture," and the per cent in which glucose enters into its composition. Such barrel, cask, keg or pail shall be branded or labeled in a conspicuous place; and such brands or labels shall be in letters of not less than one-half inch in length. Glucose and glucose mixtures shall have no other designation than herein required.—*As amended, P. A. 1897, p. 129.*

**5025.** (16.) *Impure liquor prohibited.* No person shall within this State manufacture, brew, distil, have or offer for sale or sell any spirituous or fermented or malt liquors, containing any substance or ingredient not normal or healthful, to exist in spirituous, fermented or malt liquors, or which may be deleterious or detrimental to health when such liquors are used as a beverage.

**5026.** (17.) *Orders for future delivery deemed a sale.* The taking of orders, or the making of agreements or contracts, by any person, firm or corporation, or by any agent or representative thereof, for the future delivery of any of the articles, products, goods, wares or merchandise embraced within the provisions of this act, shall be deemed a sale within the meaning of this act.

**5027.** (18.) *False branding or labeling.* Whoever shall falsely brand, mark, stencil or label any article or product required by this act to be branded, marked, stenciled or labeled, or shall remove, alter, deface, mutilate, obliterate, imitate or counterfeit any brand, mark, stencil or label so required, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred nor more than one thousand dollars and the costs of prosecution, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia for not less than six months nor more than three years, or by both such fine and imprisonment in the discretion of the court for each and every offense.

**5028.** (19.) *Penalties.* Whoever shall do any of the acts or things prohibited, or wilfully neglect or refuse to do any of the acts or things enjoined by this act, or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor, and where no specific penalty is prescribed by this act shall be punished by a fine of not less than twenty-five nor more than five hundred dollars, or by imprisonment in the county jail for a period of not more than ninety days, or by both such fine and imprisonment in the discretion of the court.—*As amended, P. A. 1899, p. 168.*

**5029.** (20.) *Enforcement of law.* It shall be the duty of the Dairy and Food Commissioner of the State to investigate all complaints of violations of this act, and take all steps necessary to its enforcement. It shall be the duty of all prosecuting officers of this State to prosecute to completion all suits brought under the provisions of this act upon the complaint of the commissioner or of any citizen. It shall be the duty

of all food inspectors in cities to examine all complaints made to them of violation of this act, and to render assistance in enforcing its provisions. It shall also be the duty of all health boards in cities and health officers in townships to take cognizance of and report or prosecute all violations of this act that may be brought to their notice, or they may have cognizance of, within their jurisdiction.—*P. A. 1895; Compiled Laws, vol. 2, p. 1585, as amended 1897 and 1899.*

**11404.** *Unwholesome provisions.* If any person shall knowingly sell any kind of diseased, corrupted or unwholesome provisions whether for meat or drink, without making the same fully known to the buyer, he shall be punished by imprisonment in the county jail not more than six months, or by fine not exceeding two hundred dollars.

**11405.** *Penalty for fraudulent adulteration of food.* If any person shall fraudulently adulterate, for the purpose of sale, any substance intended for food, or any wine, spirits, malt liquor, or other liquor intended for drinking, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding three hundred dollars, and the article so adulterated shall be forfeited and destroyed.

**11406.** *Penalty for fraudulent adulteration of drugs.* If any person shall fraudulently adulterate, for the purpose of sale, any drug or medicine, in such manner as to render the same injurious to health, he shall be punished by imprisonment in the county jail not more than one year, or by fine not exceeding four hundred dollars, and such adulterated drugs and medicines shall be forfeited and destroyed.

**11426.** *Addition of injurious ingredients to food.* No person shall mix, color, stain or powder, or order or permit any other person to mix, color, stain or powder any article of food with any ingredient or material so as to render the article injurious to health, with the intent that the same may be sold; and no person shall knowingly sell or offer for sale, any such article so mixed, colored, stained or powdered.<sup>a</sup>

**11427.** *Addition of foreign ingredients to drugs.* No person shall, except for the purpose of compounding in the necessary preparation of medicine, mix, color, stain or powder, or order or permit any other person to mix, color, stain or powder any drug or medicine with any ingredient or ingredients or materials so as to affect injuriously the quality or potency of such drug or medicine, with intent to sell the same, or shall sell or offer for sale any such drug or medicine so mixed, colored, stained or powdered.<sup>a</sup>

**11428.** *Fraudulent adulteration of food or drugs; labels.* No person shall mix, color, stain or powder any article of food, drink or medicine, or any article which enters into the composition of food, drink, or medicine, with any other ingredient or material, whether injurious to health or not, for the purpose of gain or profit, or sell or offer the same for sale, or order or permit any other person to sell or offer for sale any article so mixed, colored, stained and powdered, unless the same be so manufactured, used or sold, or offered for sale under its true and appropriate name, and notice that the same is mixed or impure is marked, printed or stamped upon each package, roll, parcel, or vessel containing the same, so as to be and remain at all times readily visible, or unless the person purchasing the same is fully informed by the seller of the true name and ingredients (if other than such as are known by the common name thereof), of such article of food, drink or medicine at the time of making sale thereof or offering to sell the same.

**11429.** *Glucose and oleomargarine, etc., as adulterants; labels.* No person shall mix any glucose or grape sugar with syrup, honey or sugar intended for human food, or

<sup>a</sup> Not under jurisdiction of dairy and food commissioner.

any oleomargarine, suine, beef fat, lard, or any other foreign substance, with any butter or cheese intended for human food, or shall mix or mingle any glucose or grape sugar or oleomargarine with any article of food, without distinctly marking, stamping or labeling the article, or the package containing the same, with the true and appropriate name of such article, and the percentage in which glucose or grape sugar, oleomargarine or suine, enter into its composition; nor shall any person sell, or offer for sale, or order, or permit to be sold, or offered for sale, any such food into the composition of which glucose, or grape sugar, or oleomargarine, or suine has entered, without at the same time informing the buyer of the fact, and the proportions in which such glucose or grape sugar, oleomargarine or suine has entered into its composition.

**11430. Penalty.** Any person convicted of violating any provision of any of the foregoing sections of this act shall be fined not more than fifty dollars or imprisoned in the county jail not exceeding three months.

**11431. Prosecutions.** It is hereby made the duty of the prosecuting attorneys of this state to appear for the people and to attend to the prosecution of all complaints under this act in all the courts in their respective counties.—*Compiled Laws, 1897, vol. 3, pp. 3404 and 3409.*

#### ALCOHOLIC LIQUORS. <sup>a</sup>

**5403. (25) Adulteration of liquors declared a misdemeanor; penalty.** If any person shall adulterate any spirituous or alcoholic liquors used or intended for drink by mixing the same in the manufacture or preparation thereof, or by process of rectifying, or otherwise, with any deleterious drug, substance, or liquid, which is poisonous or injurious to health, except as hereinafter provided, or if any person shall sell, or offer to sell, any wine, or spirituous, or alcoholic liquors, or shall import into this State any wine or spirituous or intoxicating liquors, and shall sell or offer for sale such liquors, knowing the same to be adulterated, or shall sell or offer to sell any spirituous or intoxicating liquors from any barrel, cask or other vessel containing the same, and not branded as hereinafter provided, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars, nor less than fifty dollars, and shall be imprisoned in the jail of the county not more than six months nor less than ten days.

**5404. (26) Pure liquors to be labeled.** It shall be the duty of every person or persons engaged in the manufacture and sale of malt, spirituous or alcoholic liquors, or in rectifying or preparing the same in any way, to brand on each barrel, cask, or other vessel containing the same, the name or names of the person, company, or firm manufacturing, rectifying, or preparing the same, and also these words, "Pure and without drugs or poison."

**5405. (27) Sale of unbranded liquors.** No person shall sell at wholesale or retail any ale, rum, wine, or other malt or spirituous liquors from any barrel, cask or vessel unless the same shall have been branded and marked as aforesaid.

**5406. (28) Possession of unbranded packages.** If any barrel, cask or other vessel containing any drugged or poisoned liquor shall be found in the possession of any wholesale or retail dealer in liquors, or in the possession of any person holding himself out as such a dealer, it shall be deemed *prima facie* evidence of the violation of the provisions of this act.

**5407. (29) False branding.** Any person who shall put into any barrel, cask or other vessel, branded or marked as required by this act, any liquors drugged or adulterated as aforesaid, or who shall sell or offer for sale any such liquors, for the purpose and with the intent of deceiving any person in the sale thereof, or shall violate any of the provisions of sections twenty-six, twenty-seven or twenty-eight of

<sup>a</sup> See General Food Laws, Sec. 5025, p. 169.

this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section twenty-five of this act.

**5408.** (30) *Exemptions.* The provisions of this act shall not be so construed as to prevent druggists, physicians, and persons engaged in the mechanical arts from compounding liquors for medicinal and mechanical purposes.—*Compiled Laws, 1897, vol. 2, p. 1706.*

### BUCKWHEAT FLOUR.

**4994.** (1) *Adulterated buckwheat flour.* That no person shall within this State manufacture for sale, have in his possession with intent to sell, offer or expose for sale, or sell as buckwheat flour, any adulterated substance made in the semblance of buckwheat flour, or as an imitation thereof, and which consists of any mixture or compound of mixtures other than buckwheat flour, except as provided in this act.

**4995.** (2) *Adulteration defined.* Buckwheat flour shall be deemed to be adulterated within the meaning of this act, first, if any substance or substances have been mixed with it so as to lower or depreciate or injuriously affect its quality, strength or purity; second, if an inferior or cheaper substance or substances have been substituted wholly or in part for it; third, if any valuable constituent or ingredient has been wholly or in part abstracted from it; fourth, if it is sold under the name of another article; fifth, if it contains an added substance or ingredient which is poisonous or injurious to the health.

**4996.** (3) "*Buckwheat substitute,*" or "*Compound,*" must be so branded. Every person who manufactures for sale, has in his possession with intent to sell, offers or exposes for sale, or sells, any substance made in the semblance of buckwheat flour, or as an imitation of buckwheat flour, and which consists of any mixture or compound other than pure buckwheat flour, shall cause the barrel, package or pail containing the same, to be distinctly and legibly branded or labeled "Buckwheat Substitute" or "Compound," and every person who may expose for sale, or has in his possession with intent to sell, offers or exposes for sale, or sells, any substance made in the semblance of buckwheat flour, or as an imitation thereof, or as a substitute for buckwheat flour, and which is designed to take the place of buckwheat flour, and which consists of any mixture or compound of buckwheat flour with middlings or any other compound, shall cause the barrel, package, or pail containing the same to be distinctly and legibly branded either "Adulterated Buckwheat Compound" or "Buckwheat Substitute," such brands or labels shall be in letters not less than one inch in length and shall be followed with the name of the maker and factory and the location of such factory.

**4997.** (4) *Packages to be labeled.* Every dealer or trader who, by himself or agent or as the servant or agent of another person, offers or exposes for sale, or sells any form of buckwheat flour substitute or adulterated buckwheat flour, as hereinbefore defined, shall securely affix or cause to be affixed to the package wherein the same is contained, offered for sale or sold, a label upon the outside and face of each, distinctly and legibly printed in letters not less than one inch in length the words, "Buckwheat Flour Substitute" or "Adulterated Buckwheat Flour" or "Buckwheat Flour Compound."

**4998.** (5) *Possession of any substitute deemed evidence of intent to sell.* The having in possession of any buckwheat flour substitute or adulterated buckwheat flour or buckwheat flour compound, as hereinbefore defined, which is not branded or labeled, as hereinbefore required, and directed upon the part of any dealer or trader or any person engaged in the public or private sale of such article, shall, for the purpose of this act, be deemed prima facie evidence of intent to sell the same.

**4999.** (6) *Taking orders deemed a sale.* The taking of orders or the making of agreements or contracts by any person, firm or corporation, or by any agent or repre-

sentative thereof, for the future delivery of buckwheat flour, shall be deemed a sale within the meaning of this act.

**5000.** (7) *False branding; penalty.* Whoever shall falsely brand, mark or stencil, or label any barrel, package or pail of buckwheat flour, or shall remove, alter, deface, mutilate, obliterate, imitate or counterfeit any brand, mark, stencil or label so required, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, and the costs of prosecution, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia, for not less than thirty days nor more than ninety days, or by both such fine and imprisonment in the discretion of the court, for each and every [offense] offence.

**5001.** (8) *Penalty.* Whoever shall do any of the acts or things prohibited, or wilfully neglect or refuse to do any of the acts or things enjoined by this act, or in any way violate any of the provisions, shall be deemed guilty of a misdemeanor, and where no specific penalty is prescribed by this act, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail for a period of not less than thirty nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

**5002.** (9) *Food commissioner to investigate complaints; prosecutions.* It shall be the duty of the food commissioner to investigate all complaints of violation of this act and take all steps necessary to its enforcement. It shall be the duty of all prosecuting officers of this State to prosecute to completion all suits brought under the provisions of this act upon the complaint of the commissioner or of any citizen. It shall be the duty of all food inspectors in cities to examine all complaints made to them of violations of this act, and to render assistance in enforcing these provisions. It shall also be the duty of all health boards and health officers in the townships to take cognizance of and report or prosecute all violations of this act that may be brought to their notice, or they may have cognizance of within their jurisdiction.—*Approved, April 22, 1897. (Compiled Laws, 1897, vol. 2, p. 1582.)*

#### CANDY.

**11409.** (1) *Addition of injurious ingredients; penalty.* That any person or persons manufacturing for sale or knowingly selling or offering to sell any candies or confectioneries adulterated by the admixture of terra alba, barytes, talc, or other earthy or mineral substances, or any poisonous colors, flavors or extracts, or other deleterious ingredients detrimental to health, shall, upon proper conviction thereof, before a court of competent jurisdiction, be punished by a fine of not less than ten nor more than one hundred dollars, or imprisonment in the county jail not less than ten nor more than thirty days, or both such fine and imprisonment in the discretion of the court.

**11410.** (2) *Complaint and prosecutions.* It is hereby made the duty of the local health officer or local board of health having jurisdiction thereof to investigate without unnecessary delay all complaints that may be properly brought before them and containing facts as supported by affidavit of the parties complaining of the adulteration or sale of adulterated candies or confectioneries, and if, after investigation by such officer or board, reasonable cause for action is found to exist, then such officer or board shall at once give notice to the prosecuting attorney of the county in which such complaint is made, and make or cause to be made, before a proper officer, a formal complaint in writing and duly verified, and thereupon said prosecuting attorney shall immediately commence proceedings against the person or persons so offending.—*Compiled Laws, 1897, vol. 3, p. 3405.*

## COFFEE.

(See General Food Laws, Sec. 5024, page 169.)

DAIRY PRODUCTS<sup>a</sup> AND FOODS IN GENERAL.

**11411.** (1) *Sale of impure milk; penalty; act repealed.* That whoever shall knowingly sell to any person or persons, or sell, deliver, or bring to be manufactured to any cheese or butter manufactory in this State, any milk diluted with water, or in any way adulterated, or milk from which any cream has been taken, or milk commonly known as "skimmed milk," or shall keep back any part of the milk known as "strippings," with intent to defraud, or shall knowingly sell milk, the product of a sick or diseased animal or animals, or any milk produced from any cow fed upon the refuse of a distillery, or of a brewery, or upon any substance deleterious to the quality of the milk, or shall knowingly use any poisonous or any deleterious material in the manufacture of any cheese or butter, or shall knowingly sell or offer to sell any cheese or butter, in the manufacture of which any poisonous or deleterious substance has been used, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars, and may be committed to the county jail until such fine shall be paid: Provided, That such imprisonment shall not exceed ninety days; and shall be liable in double the amount of damages to the person or persons, firm, association or corporation upon which such fraud shall have been committed. An act entitled "An act to prevent the adulteration of milk and to prevent the traffic in impure and unwholesome milk," approved March thirty-first, eighteen hundred and seventy-one, is hereby repealed: Provided, That any right accrued or forfeiture incurred under said act, shall remain valid and binding, and may be enforced under said act, as if the same were not repealed.—*P. A., 1873.*

**11412.** (1) *Sale of impure milk; watering.* That it shall be unlawful for any person, either by himself or agent, to sell or expose for sale within the State of Michigan any unwholesome, watered or adulterated or impure milk, or swill milk, or colostrum, or milk from cows kept upon garbage, swill or any substance in a state of fermentation or putrefaction, or other deleterious substances, or from cows kept in connection with any family in which there are infectious diseases. The addition of water or ice to the milk is hereby declared an adulteration.—*As amended, P. A., 1889.*

**11413.** (2) *Penalty.* Any person who shall violate any of the provisions of the preceding section shall be punished by a fine not to exceed one hundred dollars or [by] imprisonment not to exceed three months, or by both such fine and imprisonment, in the discretion of the court.

**11414.** (3) *Milk inspection in Detroit.* It shall be the duty of the metropolitan police commissioners of the city of Detroit, by and with the consent and advice of the board of health of the city of Detroit, to appoint an inspector who shall be a person of previous practical experience. Said inspector may be created captain, sergeant or roundsman of the said police force of the city of Detroit; at the option of the board of metropolitan police commissioners.

**11415.** (4) *Duties of inspector.* It shall be the duty of said inspector to personally view, so far as possible, all milk exposed for sale in said city, and to visit all dairy houses, barns or stables in said city or the county of Wayne, to inspect the same, and the animals held therein, and to visit all places where milk is kept or exposed for sale in the city of Detroit, and to inspect and ascertain the condition of said milk. He may detail any patrolman of said city to assist him in the performance of any or all the duties enjoined on him by this act: Provided always, That said inspector and

<sup>a</sup>See also General Food Laws, Secs. 5013-5017, p. 167.



any policeman so detailed shall always be subject to the provisions of the law establishing and governing the metropolitan police of said city.

**11416.** (5) *Complaints.* It shall be the duty of said inspector or of his assistant, and of all other inspectors appointed under this act, to make complaint in writing before a police justice or justice of the peace, or other court having jurisdiction thereof, of every violation of this act coming to his knowledge.—*As amended, P. A. 1889.*

**11417.** (6) *Each sale a separate offense.* Each and every quantity of milk sold or exposed for sale, contrary to the provisions of this act, shall constitute a separate offense.

**11418.** (7) *Hindrance of inspector.* Any person who shall refuse to permit the said inspector, or his assistant (assistants), to perform his duty under this act, either by refusing him entrance to his premises or by concealing any milk, or refusing to permit any milk or animal, or premises wherein the animals are kept, to be viewed and inspected as herein provided, or by in any manner hindering or resisting any said inspector or assistant inspector in the performance of his duty, shall be guilty of a misdemeanor and punished therefor.

**11419.** (8) *City and village milk inspector.* Authority is hereby given the common council of any city, and the board of trustees or council of any village, to appoint an inspector of milk in any such city or village, and to fix their compensation, and when appointed the said inspectors of milk shall have all the powers given by section four of this act, and shall perform all the duties required of inspectors of milk as provided herein, and such other powers and duties as may be conferred or imposed by the ordinances of said cities or villages.

**11420.** (9) *Penalty for adulteration of milk.* Whoever shall adulterate by himself, or by his servant or agent, or sell, exchange or deliver, or have in his custody or possession with intent to sell or exchange the same, or exposes or offers for sale or exchange, adulterated milk or milk to which water or any foreign [substance] substances in any state of fermentation or putrefaction, or from sick or diseased cows, shall be guilty of a misdemeanor, and shall, for every such offense, be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail or the State House of Correction and Reformatory at Ionia not exceeding three months.—*Added by P. A. 1889.*

**11421.** (10) *Penalty for sale of skimmed milk as pure.* Whoever shall adulterate, himself, or by his servant or agent, sell, exchange or deliver, or have in his custody or possession with intent to sell or exchange the same, or exposes or offers for sale as pure milk, any skimmed milk from which the cream or any part thereof has been removed, shall be guilty of a misdemeanor, and shall, for such offense, be punished by the penalty provided in the preceding section.—*Added by P. A. 1889.*

**11422.** (11) *Skimmed milk to be so labeled.* Any dealer in milk who shall by himself, servant or agent, sell, exchange or deliver, or have in his custody or possession with intent to sell, exchange or deliver the same, milk from which the cream or any part thereof has been removed, unless in a conspicuous place above the center upon the outside of every vessel, can or package from which any such milk is sold, the words "Skimmed Milk" are distinctly painted in letters not less than one inch in length, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail or Detroit House of Correction not exceeding three months.—*Added by P. A. 1889.*

**11423.** (12) *Pure and adulterated milk defined.* If milk sold or offered for sale under the provisions of this act as pure milk, is shown upon analysis by weight to contain more than eighty-seven and fifty one hundred per centum of watery fluid, or to contain less than twelve and fifty one hundredths of milk solids, percentum, or less fat than three per centum, or if the specific gravity at 60 degrees Fahrenheit is not between 1.29-1000 to 1.33-1000, it shall be deemed to be adulterated. If milk sold or

offered for sale under the provisions of this act as skimmed milk has a specific gravity at 60 degrees Fahrenheit less than 1.032, and greater than 1.037, it shall be deemed to be adulterated.—*Added by P. A. 1889*

**11424.** (13) *Manner of testing milk for adulterants.* Whenever any inspector of milk has reason to believe that any milk found by him is adulterated, he shall take specimens thereof and test the same with such instrument or instruments as are used for such purposes, and he shall make an analysis thereof, showing total solids, the percentage of butter, the percentage of water and the percentage of ash; and if the result of such test and analysis indicates that the milk has been adulterated or deprived of its cream, or any part thereof, the same shall be prima facie evidence of such adulteration in a prosecution under this act.—*Added by P. A. 1889.*

**11425.** (14) *Penalty for selling skimmed or adulterated milk to factory.* Any person who shall remove the cream or any part thereof from milk to be sold as pure milk to any manufactory in which milk is used as a material in the process of production, and any person who shall, in any manner, adulterate such milk, either by the addition of water or otherwise, shall be guilty of a misdemeanor, and shall, for every such offense, be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail or Detroit House of Correction not exceeding ninety days.—*Added by P. A. 1889; P. A. 1887; Compiled Laws 1897, vol. 3, pp. 3405-3406.*

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**SEC. 1.** *Adulterated, diluted or preserved milk.* No person shall offer or expose for sale, sell, exchange or deliver, or have in his possession with intent to sell, exchange or deliver, any milk to which water, chemicals or preservatives, or any other foreign substance, has been added. The term milk as used in this act shall include all skimmed milk, buttermilk, cream and milk in its natural state, as drawn from the cow.

**SEC. 2.** *Penalty.* Whoever shall do any of the acts or things prohibited, or neglects or refuses to do any of the acts or things enjoined by this act, or in any way violates any of its provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than one dollar nor more than one hundred dollars and the costs of prosecution, or by imprisonment in the county jail not more than ninety days, or by both such fine and imprisonment, in the discretion of the court.

This act is ordered to take immediate effect.—*Approved June 8, 1899. (P. A. 1899, p. 150.)*

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**SEC. 1.** *Imitation butter must be labeled.* No person shall sell, expose or offer for sale or exchange, or have in his possession with intent to sell or exchange, any oleomargarine or other substance made in imitation of butter, and which is intended to be used as a substitute for butter, unless each and every vessel, package, roll or parcel of such substance has distinctly and durably printed, stamped or stenciled thereon in black letters the true name of such substance, in ordinary bold faced capital letters, not less than five line pica in size; and also the name and address of the manufacturer, together with the name of each and every article or ingredient used or entering into the composition of such substance, in ordinary bold faced letters, not less than pica in size.

**SEC. 2.** *Dealers in same must give verbal notice and separate label when selling imitation butter.* No person shall sell, exchange or deliver any oleomargarine or other substance made in imitation of butter and which is intended to be used as a substitute for butter, unless he shall distinctly inform the purchaser by a verbal notice at the time of the sale that the same is a substitute for butter, and shall also deliver to the purchaser of each and every roll, package or parcel of such oleomargarine or other substance, at the time of the delivery of the same, a separate and distinct label, on

which is plainly and legibly printed in black ink, in ordinary bold faced capital letters not less than five line pica in size, the true name of such substance, and also the name and address of the manufacturer, together with the name of each article used and entering into the composition of such substance, in ordinary bold faced letters not less than pica in size.

SEC. 3. *Hotels, etc., furnishing oleomargarine must display signs.* The proprietor or keeper of any store, hotel, restaurant, eating saloon, boarding house, or other place where oleomargarine is sold or furnished to persons paying for the same, shall have placed on the walls of every store or room where oleomargarine is sold or furnished, a white placard on which is printed in black ink, in plain Roman letters of not less than three inches in length, and not less than two inches in width, the words "Oleomargarine Sold or Used Here," and shall at all times keep the same exposed in such conspicuous place as to be readily seen by any and all persons entering such store or other room or rooms.

SEC. 4. *Imitation butter must not be designated by terms applied to pure article.* No person shall use in any way, in connection or association with the sale or exposure for sale or advertisement of any substance designed to be used as a substitute for butter, the word "Butter," "Creamery," or "Dairy," or the name or representation of any breed of dairy cattle, or any combination of such word or words and representation, or any other words or symbols or combinations thereof commonly used in the sale of butter.

SEC. 5. *Butter defined.* For the purpose of this act the word "butter" shall be understood to mean the food product usually known as butter, and which is made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring matter.

SEC. 6. *Oleomargarine defined.* For the purposes of this act certain manufactured substances, certain extracts and certain mixtures and compounds, including such mixtures and compounds with butter, shall be known and designated as "Oleomargarine," namely: All substances heretofore known as oleomargarine, oleo, oleomargarine oil, butterine, lardine, suine and neutral; all mixtures and compounds of oleomargarine, oleo, oleomargarine oil, butterine, lardine, suine and neutral; all lard extracts and tallow extracts; and all mixtures and compounds of tallow, beef fat, suet, lard, lard oil, vegetable oil, butterine, lardine, suine and neutral; all lard extracts and tallow extracts; and all mixtures and compounds of tallow, beef fat, suet, lard, lard oil, vegetable oil, intestinal fat, and offal fat, made in imitation or semblance of butter, or when so made, calculated or intended to be sold or used as butter or for butter.

SEC. 7. *Penalty.* Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, and the costs of prosecution, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia, for not less than six months nor more than three years, or by both such fine and imprisonment in the discretion of the court, in each and every offense. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

This act is ordered to take immediate effect.—Approved June 23, 1899. (P. A. 1899, p. 218.)

SEC. 1. *Process butter must be so labeled.* That no person, firm or corporate body shall, within this State, sell, or offer or expose for sale, or have in his, her or their possession, with intent to sell, any butter not labeled in compliance with the provisions of this act. Butter produced by taking original packing stock and other butter and melting the same, so that the butter oil can be drawn off, mixed with skim milk or other material, and by emulsion or other process produce butter, and

butter produced by any similar process, and commonly known as "Process" butter, shall, before sale, and before being offered and exposed for sale, and while in the possession of any person, firm or corporate body, with intent to sell the same, be plainly labeled "Process Butter," in the manner prescribed by this act. If sold, offered or exposed for sale, or in the possession of any person, firm or corporate body with intent to sell, the prints or rolls shall be covered by wrappers, on which shall be printed in conspicuous letters the words "Process Butter." If packed in tubs or other receptacles, and sold or offered or exposed for sale, or held in the possession of any person, firm, or corporate body, with intent to sell the same, the said words shall be printed in one inch letters on the top and two sides of the tub or receptacle; if uncovered and not contained in a tub or other receptacle, and sold or offered or exposed for sale, or held in possession of any person, firm or corporate body, with intent to sell the same, a placard containing the said words shall be attached to the mass, in a manner making them plain and prominent.

SEC. 2. *Penalty; inspection and analyses.* Every person, firm or corporate body who shall violate any of the provisions of this act shall, for every such offense, forfeit and pay not less than twenty-five dollars nor more than one hundred dollars, which shall be recoverable with costs, including expense of inspection and analysis, by any person suing in the name of the people of the State of Michigan, as debts of like amount are by law recoverable: Provided, That the Dairy and Food Commissioner, together with the deputies, agents and assistants, shall be charged with the enforcement of this act, and shall have full access to all places of business, factories, buildings, carriages, cars, vessels, barrels and packages of whatever kind, used in the manufacture and transportation and sale of any butter or any adulteration or imitation thereof. They shall also have power and authority to open any package, barrel or vessel containing any butter, or any adulteration or imitation thereof, which may be manufactured, sold, or offered or exposed for sale, or held in possession with intent of the holder to sell; and they shall also have full power and authority to take the samples thereof for analysis, upon tendering the value of said samples. And all charges, accounts, and expenses of the department for the enforcement of this act, through the said commissioner, and his deputies, agents, assistants, chemists and counsel employed by him in carrying out the provisions of this act, shall be paid by the treasurer of the State out of the appropriation for the support of the Dairy and Food Department.

SEC. 3. *Penalty; disposition of fines.* Every person who violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than thirty days, or both fine and imprisonment, for the first offense; and a fine of one hundred dollars and imprisonment for thirty days, for every subsequent offense: Provided, That all fines and costs, including the expenses of inspection and analysis imposed under this section, shall be covered into the State treasury, as provided by section two of this act; and all butter sold or offered or exposed for sale, or held in the possession of anyone with intent to sell the same in violation of the provisions of this act, shall be subject to forfeiture and spoliation.

SEC. 4. *Jurisdiction.* Justices of the peace throughout this State shall have jurisdiction to hear and determine actions arising for violations of the provisions of this act, and to hold for court or to impose the penalties imposed therein, subject to appeal as the law shall direct.—*Approved June 22, 1899. (P. A. 1899, p. 407.)*

SEC. 1. *Penalty for obstructing enforcement of law.* That any person who shall obstruct the Dairy and Food Commissioner, or his deputy, or any of his duly appointed inspectors, by refusing to allow him entrance to any place where he is authorized to enter

in the discharge of his official duty, or refuses to deliver to him a sufficient sample for the analysis of any article of food or drink sold, offered or exposed for sale, or in his possession for the purpose of sale, wherever the same may be found, when the same is requested and when the value thereof is tendered, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars or more than one hundred dollars and the costs of prosecution, or by imprisonment in the county jail not less than ten days or more than ninety days, or by both such fine and imprisonment, in the discretion of the court, for each and every offense.—*Approved June 23, 1899. (P. A. 1899, p. 246.)*

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**4973.** (1) *Appointment of dairy and food commissioner.* That within thirty days after this act shall take effect, the Governor, by and with the consent of the Senate, shall appoint a suitable person to be Dairy and Food Commissioner, which office is hereby created, and which commissioner so appointed shall hold his office until the first day of January, one thousand eight hundred and ninety-five, and until his successor is appointed and qualified. At the next regular session of the legislature, and every two years thereafter, the Governor, by and with the advice and consent of the Senate, shall appoint a Dairy and Food Commissioner, who shall hold his office for the term of two years from the first day of January in the year of his appointment, and until his successor is appointed and qualified.

**4974.** (2) *Removal of commissioner.* The Governor shall have power to remove such commissioner at any time in his discretion; but the reasons for such removal shall be laid before the Senate at the next regular or special session of the legislature thereafter, and in case of a vacancy in the office of commissioner from any cause, the Governor may appoint another person to fill the same.

**4975.** (3) *Oath of office and bond.* Before entering upon the duties of his office, the person so appointed shall make, subscribe, and file in the office of the Secretary of State, an oath of office in the form prescribed by section one of article eighteen of the constitution of this State, and shall enter into bonds with the people of the State of Michigan in the sum of ten thousand dollars, with sureties to be approved by the Governor, conditioned for the faithful performance of his duties.

**4976.** (4) *Salaries and expenses of commissioner.* The salaries and expenses authorized by this section shall be for the fiscal year ending June thirtieth, nineteen hundred two, and each fiscal year thereafter, said salaries to be payable monthly, on the warrant of the Auditor General. The salary of the commissioner shall be two thousand dollars; the salary of the deputy commissioner shall be one thousand five hundred dollars; the salary of each clerk shall be not to exceed seven hundred twenty dollars, and the pay per day for each inspector shall be not to exceed three dollars. The actual and necessary expenses of the commissioner, deputy, and inspectors, in the performance of their official duties, shall be audited by the Board of State Auditors, and paid upon the warrant of the Auditor General. Such compensation and expenses shall be certified, audited and paid in the same manner as the salaries and expenses of similar officers. The commissioner, by and with the consent of the Governor, shall appoint a deputy commissioner, who shall hold office during the pleasure of the commissioner, and who shall take and subscribe the constitutional oath of office and file the same in the office of the Secretary of State. The commissioner may appoint not to exceed two clerks for the transaction of the business of his office. The commissioner may also appoint not to exceed six inspectors, who shall take and subscribe the constitutional oath of office and file the same in the office of the Secretary of State, and who shall hold office during the pleasure of the commissioner. Such inspectors shall have the same right of access to places to be inspected as the said commissioner or his deputy. The deputy commissioner and the inspectors shall enter into bonds with the people of the State of Michigan in the sum of five thousand dollars each,

with sureties to be approved by the commissioner, conditioned for the faithful performance of their respective duties. The Board of State Auditors shall provide office room and the necessary furniture and fixtures and the necessary stationery, supplies and printing for the conduct of the business of the said commissioner, on his application to the said board therefor. Said office shall be and remain in the city of Lansing.—*As amended May 29, 1901.*

4977. (5) *State analysts; salaries and expenses.* The commissioner, by and with the consent of the Governor, shall appoint a suitable and competent person as State analyst, who shall be a practical analytical chemist. The commissioner, in like manner, may appoint an assistant State analyst. Before entering upon the duties of their office they shall take, subscribe and file in the office of the Secretary of State the constitutional oath of office. Their term of office shall continue during the pleasure of the commissioner. The Board of State Auditors shall provide a room in connection with the dairy and food commission for the laboratory of the State analyst and his assistant, and the necessary furniture and fixtures therefor. In case of the absence or inability of the State analyst or his assistant to perform their duty, the commissioner may, with the consent of the Governor, appoint some competent person to perform the same temporarily, which person shall take, subscribe and file the constitutional oath of office. The salaries and expenses authorized by this section shall be for the fiscal year ending June thirtieth, nineteen hundred two, and each fiscal year thereafter, said salaries to be payable monthly on the warrant of the Auditor General. The salary of the chemist shall be fifteen hundred dollars; the salary of the assistant chemist shall be one thousand dollars. The actual and necessary expenses of the chemist and assistant chemist, in the performance of their official duties, shall be audited by the Board of State Auditors and paid upon the warrant of the Auditor General. An amount not exceeding five hundred dollars may be expended for the necessary chemical supplies. Such compensation, expenses and supplies shall be certified, audited and paid in the same manner as the salaries, expenses and supplies of similar officers.—*As amended May 29, 1901.*

4978. (6) *Duties of commissioner; sampling.* It shall be the duty of the Dairy and Food Commissioner to carefully inquire into the quality of the dairy and food and drink products, and the several articles which are foods or the necessary constituent of foods, which are manufactured or sold or exposed or offered for sale in this State, and he may in a lawful manner procure samples of the same and direct the State Analyst to make due and careful examination of the same, and report to the commissioner the result of the analysis of all or any of such food and drink products or dairy products, as is adulterated, impure or unwholesome, in contravention of the laws of this State, and it shall be the duty of the commissioner to make complaint against the manufacturer or vender thereof, in the proper county, and furnish the evidence thereon and thereof to obtain a conviction of the offense charged. The Dairy and Food Commissioner, or his deputy, or any person by him duly appointed for that purpose may make complaint and cause proceedings to be commenced against any person for the violation of any of the laws relative to adulterated, impure or unwholesome food, and in such case he shall not be obliged to furnish security for costs; and shall have power in the performance of their duties to enter into any creamery, factory, store, salesroom, drug store or laboratory, or place where they have reason to believe food or drink are made, prepared, sold or offered for sale, and to open any cask, tub, jar, bottle or package containing or supposed to contain any article of food or drink and examine or cause to be examined the contents thereof, and take therefrom samples for analysis. The person making such inspection shall take such sample of such article or product, in the presence of at least one witness, and he shall in the presence of such witness mark or seal such sample, and shall tender at the time of taking to the manufacturer or vender of such product, or to the

person having the custody of the same, the value thereof, and a statement in writing of the reason for taking such sample.—*As amended, P. A. 1895; P. A. 1897; P. A. 1899, p. 455.*

**4979.** (7) *Prosecutions.* It shall be the duty of each prosecuting attorney, when called upon, to render any legal assistance in his power, under the provisions of this act, or any subsequent act relative to the adulteration of food for the sale of impure or unwholesome food or food products.—*As amended, P. A. 1895; P. A. 1899, p. 456.*

**4980.** (8) *Unlawful for analyst to furnish certificates of purity.* It shall be unlawful for the State Analyst, while he holds his office, to furnish to any individual, firm or corporation, any certificate as to the purity or excellence of any article manufactured or sold by them to be used as food or in the preparation of food.

**4981.** (9) *Annual report.* The commissioner shall make an annual report to the Governor on or before the first day of July in each year, and which shall be printed and published on or before the first day of September next thereafter, which report shall cover the doings of his office for the preceding fiscal year which shall show, among other things, the number of manufactories and other places inspected, and by whom, the number of specimens of food articles analyzed, and the State Analyst's report upon each one; the number of complaints entered against persons for violation of the laws relative to the adulteration of food, the number of convictions had, and the amount of fines imposed therefor, together with such recommendations relative to the statutes in force as his experience may justify. The commissioner shall also prepare, print and distribute to all the papers of the State, and to such persons as may be interested, or may apply therefor, a monthly bulletin in suitable paper covers, containing results of inspections, the results of analyses made by the State Analyst, with popular explanation of the same, and such other information as may come to him in his official capacity relating to the adulteration of food and drink products and of dairy products, so far as he may deem the same of benefit and advantage to the public; also a brief summary of all the work done during the month by the commissioner and his assistants in the enforcement of the laws of the State, but not more than ten thousand copies of each of such monthly bulletins shall be printed.—*As amended, P. A. 1895; P. A. 1897; P. A. 1899, p. 456.*

**4982.** (10) *Penalty for obstructing commissioner.* Any person who shall willfully hinder or obstruct the Dairy and Food Commissioner, or his deputy, or other person or inspector by him duly authorized, in the exercise of the powers conferred upon him by this act, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than ninety days, or both such fine and imprisonment in the discretion of the court.

**4983.** (11) *Appropriations.* The sum of twenty-six thousand five hundred dollars is hereby appropriated for the fiscal year ending June thirtieth, nineteen hundred two, fifteen hundred dollars of which is appropriated to meet a deficiency in the appropriation for the fiscal year ending June thirtieth, nineteen hundred one. For the fiscal year ending June thirtieth, nineteen hundred three, and each fiscal year thereafter, there is hereby appropriated the sum of twenty-five thousand dollars. Out of the amounts appropriated by this act shall be paid all salaries and expenses and chemical supplies provided for therein: Provided, That all expenses for stationery and printing shall be audited and paid in the same manner as other State printing and stationery.—*As amended, May 29, 1901; P. A. 1901, p. 264.*

**4984.** (12) *Funds to enforce law.* The Auditor General shall incorporate in the State tax for the year nineteen hundred one the sum of twenty-six thousand five hundred dollars, and for the year nineteen hundred two the sum of twenty-five thousand dollars which, when collected, shall be credited to the general fund to reimburse the same for the money appropriated by this act.—*As amended 1901; P. A. 1901, p. 264.*

**4985.** (1) *Imitation butter.* No person, by himself or his agents, or servants, shall render or manufacture, sell, offer for sale, expose for sale, or have in his possession with intent to sell, any article, product or compound made wholly or in part out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same: Provided, That nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like butter.

**4986.** (2) *Penalty.* Whoever violates any of the provisions of section one of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, and the costs of prosecution, or by imprisonment in the county jail or State House of Correction and Reformatory at Ionia for not less than six months nor more than three years, or by both such fine and imprisonment, in the discretion of the court, for each and every offense.—*Approved, Apr. 15, 1897 and reenacted without change 1901. P. A. 1901, p. 37.*

**2243.** (1) *Butter substitutes in public institutions.* That the use of oleomargarine, butterine, or any other substitute for butter, in any of the public institutions of this state, be and the same is hereby prohibited.

**2244.** (2) *Penalty.* Any warden, superintendent or other officer of any such institution, who shall knowingly violate the provisions of *section one of this act*, or shall knowingly permit the same to be violated shall be deemed guilty of a misdemeanor and every violation shall constitute a separate offense and on conviction thereof shall be punished by a fine of not less than twenty-five, nor more than one hundred dollars, together with costs of prosecution, or by imprisonment in the county jail of the county in which said institution is situated, not exceeding ninety days, or by both such fine and imprisonment, at the discretion of the court.—*Compiled Laws 1897, vol. 1.*

#### DRUGS.<sup>a</sup>

**5313.** *Penalty for adulterating or diluting drugs.* No person shall add to or remove from any drug, medicine, chemical, pharmaceutical preparation, any ingredient or material for the purpose of adulteration or substitution, which shall deteriorate the quality, commercial value or medicinal effect, or which shall alter the nature or composition of such drug, medicine, chemical, or pharmaceutical preparation, so that it will not correspond to the recognized tests of identity or purity. Any person who shall thus willfully adulterate or alter, or cause to be adulterated or altered, or shall sell or offer for sale, any such drug, medicine, chemical, or pharmaceutical preparation, or any person who shall substitute, or cause to be substituted, one material for another, with the intention to defraud or deceive the purchaser, shall be guilty of a misdemeanor, and be liable to prosecution under this act. If convicted he shall be liable to all the costs of the action, and for the first offense be liable to a fine of not less than ten dollars nor more than one hundred dollars, and for each subsequent offense a fine of not less than twenty-five dollars nor more than one hundred and fifty dollars. On complaint being entered the board of pharmacy is hereby empowered to employ an analyst or chemist, whose duty it shall be to examine into the so-called adulteration, substitution, or alteration and report upon the result of his investigation; and if said report shall be deemed to justify such action the board shall duly cause the prosecution of the offender, as provided in this act.—*Compiled Laws 1897, vol. 2.*

<sup>a</sup>See also General Food Laws, Secs. 11406, 11427, 11428.



## JELLIES, CANNED GOODS, ETC.

(See General Food Laws, Secs. 5022, 5023, p. 168.)

## LARD.

(See General Food Laws, Secs. 5018-5021, p. 168.)

## MAPLE PRODUCTS.

**5009.** *False labels; penalty.* Any person, dealer, firm, manufacturer, or corporation, who shall falsely stamp or misrepresent or label any cans, jugs, jars, or packages, containing maple molasses, or maple syrup, or maple sugar, that is in any wise adulterated, or knowingly permits such [misrepresentation] misrepresentations or false stamping or labeling, shall be deemed guilty of a misdemeanor, and punished by a fine, not more than five hundred dollars, or by imprisonment in the county jail for a period of not more than one year, or by both such fine or imprisonment, in the discretion of the court.—*Compiled Laws 1897, vol. 2, p. 1584.*

## PEPPER.

**SEC. 1.** *Standard for black pepper.* Within this State no person, firm or corporation shall manufacture, offer or expose for sale, keep in possession with intent to sell, or sell any ground or whole black pepper containing any foreign substance whatever. All black pepper shall contain not more than six and one-half per cent ash or mineral matter; and shall contain not less than twenty-five per cent starch as determined by the diastase method; and shall contain not less than six-tenths of one per cent nor more than one and three-fourths per cent of volatile ether extract; and shall contain not more than ten per cent nor less than six and one-half per cent of non-volatile ether extract; and shall contain not more than sixteen per cent of crude fibre.

**SEC. 2.** *Penalty.* Whoever shall do any of the acts or things prohibited, or neglects or refuses to do any of the acts or things enjoined by this act, or in any way violates any of its provisions, shall be deemed guilty of a misdemeanor, and shall be punished by a fine not less than twenty-five dollars nor more than five hundred dollars and the costs of the prosecution or by imprisonment in the county jail not more than ninety days, or by both such fine and imprisonment, in the discretion of the court.—*Act No. 180, Public Acts, 1901.*

## SYRUPS.

(See General Food Laws, Sec. 5024, p. 169.)

## VINEGAR.

**5003.** (1.) *Pure vinegar defined.* No person shall manufacture for sale, offer or expose for sale, sell or deliver, or have in his possession with intent to sell or deliver, any vinegar not in compliance with the provisions of this act. No vinegar shall be sold as apple, orchard or cider vinegar, which is not the legitimate product of pure apple juice, known as apple cider or vinegar, not made exclusively of said apple cider or vinegar into which foreign substance, drugs or acids have been introduced, as may appear upon proper test, and upon said test, shall contain not less than one and three-fourths per cent, by weight, of cider vinegar solids upon full evaporation at the temperature of boiling water.

**5004.** (2.) *"Fermented" or "distilled" vinegar to be so branded; standard for fermented vinegar.* All vinegar made by fermentation and oxidation without the intervention of distillation shall be branded "fermented vinegar," with the name of the fruit or substance from which the same is made. And all vinegar made wholly or

in part from distilled liquor, shall be branded "distilled vinegar," and all of such distilled vinegar shall be free from coloring matter added during or after distillation and from color other than that imparted to it by distillation. And all fermented vinegar not distilled shall contain not less than one and three-fourths per cent, by weight, upon full evaporation (at the temperature of boiling water) of solids, contained in the fruit or grain from which said vinegar is fermented, and said vinegar shall contain not less than two and a half tenths of one per cent ash or mineral matter, the same being the product of the material from which said vinegar is manufactured. And all vinegar shall be made wholly from the fruit or grain from which it purports to be or is represented to be made, and shall contain no foreign substance, and shall contain not less than four per cent, by weight, of absolute acetic acid.

**5005.** (3.) *Injurious vinegar prohibited; branding.* No person shall manufacture for sale, offer for sale, or have in his possession with intent to sell, any vinegar found upon proper test to contain any preparation of lead, copper, sulphuric or other mineral acid, or other ingredients injurious to health. And all packages containing vinegar shall be marked, stenciled or branded on the head of the cask, barrel or keg containing such vinegar with the name and residence of the manufacturer, together with brand required in section two hereof.

**5006.** (4.) *Penalty.* Whoever violates any of the provisions of this act shall, upon conviction, be fined not less than fifty dollars nor more than one hundred dollars, or imprisoned in the county jail not to exceed ninety days and the costs of prosecution, or by both such fine and imprisonment in the discretion of the court.—*Approved, Apr. 16, 1897. (Compiled Laws, vol. 2, p. 1583.)*

#### DIGEST AND RULINGS.

**BAKING POWDERS.**—All packages containing same must bear name and address of the manufacturer. Can be sold without formula, but if labeled cream of tartar, phosphate powder, etc., must be true to name.

**BUCKWHEAT FLOUR.**—If labeled "Buckwheat Flour" must be true to name. Can be mixed with substances not injurious to health if labeled, "Buckwheat Flour Compound," "Buckwheat Flour Substitute," or "Adulterated Buckwheat Flour," in letters not less than one inch in length, followed by the name and address of the maker. Buckwheat Flour containing no other ingredients but for leavening and seasoning purposes may be sold if labeled, "Selfrising Buckwheat Flour."

**BUTTER.**—Must be made exclusively of milk or cream. May be colored with coloring matter not injurious to health. Butter factories where milk or cream is purchased of or contributed by three or more persons must register with the Department on or before April 1 of each year.

Process butter must be labeled as such. See ruling under head of Process Butter.

**CANDY.**—Must not contain terra alba, barytes, talc, or other earthly or mineral substances, or any poisonous colors or flavors, or ingredients detrimental to health.

**CATSUP.**—All packages containing same must bear the name and address of the manufacturer. Must contain no ingredients injurious to health.

**CHEESE.**—Must be made exclusively of milk or cream. Only cheese made from milk from which no cream has been taken can be sold as or branded, "Full Cream Cheese," or "Full Milk Cheese." Cheese factories where milk or cream is purchased of or contributed by three or more persons must register with the Department on or before April 1, of each year. Authorized brands bearing the words, "Michigan Full Cream Cheese," may be obtained from the Department upon payment of fee of one dollar.

**COFFEE.**—If sold as such must be true to name. May be mixed with chicory, or other substances not injurious to health, if marked or labeled "Coffee Compound,"

together with the name and address of the manufacturer or compounder, and have no other label of whatever name or designation. This applies to all packages containing such coffee whether put up for immediate delivery or for stock purposes.

**COFFEE SUBSTITUTE.**—Mixtures of cereals or other articles sold as substitute for coffee, must be sold as a mixture or compound under an original or coin name and not under the name of any ingredient contained therein. All packages containing same must bear the name and address of the manufacturer or compounder thereof.

**CHOCOLATES AND COCOAS.**—If containing no other substances than cocoa mass, sugar and flavoring will not be classed as a compound or mixture.

**CANNED GOODS.**—Must bear name and address of packer. If dried before canning must be labeled, "Soaked or Bleached Goods," in letters not less than two line pica in size. The sale of peas or other vegetables greened with copper is prohibited.

**CREAM OF TARTAR.**—Must be pure and true to name. Cannot be mixed or compounded with any other article and sold under the name of any ingredient thereof, even though it be labeled mixture or compound.

**EXTRACTS, FLAVORING.**—Bottles or packages containing extracts must bear the name and address of the manufacturer. Vanilla flavoring must be without artificial color. This includes all extracts of vanilla or tonka, whether mixed or simple.

Extracts of vanilla and tonka may be mixed and sold as "Extract of Vanilla and Tonka," or simply "Extract of Tonka." The labeling of an extract of vanilla and tonka as "Extract of Vanilla," or "Compound Extract of Vanilla," with the per cent of each ingredient contained therein, is not proper, and will be considered an adulteration. It must be understood that when an extract of vanilla and tonka is labeled with both names, the type used is to be similar in style and size, and that one name is not to be given greater prominence than another.

**FARINACEOUS GOODS.**—Must be true to name. Barley, Hominy, Cracked or Rolled Wheat or Oats, Tapioca, and like articles, must be pure and unadulterated. If mixed or compounded with other articles, must be sold as a mixture or compound, under an original or coin name, and not under the name of any ingredient contained therein. All packages containing mixtures or compounds of this kind must bear the name and address of the manufacturer or compounder thereof.

**HONEY.**—Honey must be pure. Cannot be mixed with glucose or other substances and sold as "Honey Compound."

**JELLY.**—Imitation fruit jellies, butter or other similar compounds made or composed in whole or in part of glucose, dextrine, starch or other substances can be sold if uncolored, are not injurious, and are distinctly and durably labeled "Imitation Fruit Jelly or Butter," with the name and location of manufacturer, and have no other label of whatever name.

**LARD.**—Imitation lard in manufacturers' package must be distinctly branded or labeled either "Lard Compound," "Adulterated Lard," or "Lard Substitute," in letters not less than one inch in length, and shall be followed with the name of the maker and factory, and the location of such factory. If kept or sold in other than manufacturers' package, the name of maker or factory is not necessary, but each and every package must be distinctly labeled "Lard Compound," "Adulterated Lard," or "Lard Substitute," printed in letters not less than one-half inch in length. This also applies to smaller quantities when put up for immediate delivery.

**LIQUORS.**—Spirituous, fermented, or malt liquors must not contain drugs or poisons or ingredients deleterious or unhealthy. Persons engaged in manufacturing, rectifying or preparing same in any way must brand on each barrel, cask, or vessel containing the same, the name of the person, firm or corporation manufacturing, rectifying or preparing the same, and also the words, "Pure and Without Drugs or Poison." No person shall sell at wholesale or retail any such liquors from any barrel, cask or vessel, unless the same shall have been branded and marked as aforesaid.

MAPLE SUGAR AND MAPLE SYRUP.—Must be pure and true to name. Cannot be mixed with other sugar or syrup and sold as “Maple Sugar Compound” or “Maple Syrup Compound.”

MILK.—Must contain not less than 3 per cent fat and  $12\frac{1}{2}$  per cent solids. Milk from which cream has been removed must be labeled and sold as “Skim Milk.” The sale of milk which is impure, unwholesome or adulterated, or from cows which are diseased, or fed upon the refuse of a distillery or brewery, or upon any substance deleterious to the quality of the milk, such as garbage, swill, or any substance in a state of fermentation or putrefaction, or from cows kept in connection with a family in which there is infectious disease, is prohibited. The addition of coloring matter or preservatives to milk is prohibited.

MOLASSES.—Must be branded with its true and appropriate name and must be true to same. (See Syrup.)

OLEOMARGARINE.—All compounds of animal or vegetable fats made in imitation or semblance of butter, or calculated to be used as or for butter, must be known and designated as “Oleomargarine.”

The use of the name of any breed of dairy cattle, or the use of any words or symbols commonly used in the sale of butter, is forbidden in the sale, exposure for sale or advertisement of any oleomargarine.

Proprietors of any place where oleomargarine is sold or furnished must have conspicuously placed on the walls of the room where the same is sold or furnished, a white placard containing the words “Oleomargarine Sold or Used Here” printed in black ink in plain Roman letters not less than three inches in length or less than two inches in width. This applies to hotel, restaurant and boarding house keepers where oleomargarine is served.

All packages containing oleomargarine must be branded as such in ordinary bold-faced capital letters not less than five line pica in size, together with the name and address of the manufacturer and the name of each and every article or ingredient used or entering into its composition in ordinary bold-faced letters not less than pica in size.

Dealers must notify purchasers at the time of selling oleomargarine by verbal notice that the same is a substitute for butter, and must *also* deliver to the purchaser a separate and distinct label on which shall be printed in black ink in ordinary bold faced capital letters, not less than five line pica in size, the word “Oleomargarine,” together with the name and address of the manufacturer and the name of each article used and entering into its composition in ordinary bold-faced letters not less than pica in size.

Oleomargarine must not be in imitation of yellow butter.

PANCAKE FLOURS.—If containing more than one article must be sold as a mixture or compound under an original or coin name, and not under the name of any ingredient contained therein. Packages containing same must bear the name and address of the manufacturer or compounder.

PEPPER.—All black pepper shall contain not more than six and one-half per cent ash or mineral matter, and shall contain not less than twenty-five per cent starch as determined by the diastase method; and shall contain not less than six-tenths of one per cent nor more than one and three-fourths per cent of volatile ether extract; and shall contain not more than ten per cent nor less than six and one-half per cent of non-volatile ether extract; and shall contain not more than sixteen per cent of crude fiber.

PREPARED MUSTARD.—Pure mustard mixed with vinegar and spices may be sold if labeled “Prepared Mustard” and bear the name and address of the manufacturer, but if any substance or substances are added to cheapen it, such as flour, etc., it will be deemed adulterated. The label proper must contain the words “Prepared Mustard,” and have no other designation than herein required. Printed matter descrip-

tive of the goods will be allowed upon the label below the words "Prepared Mustard," or below the name and address of the manufacturer, but no printed matter of any description will be allowed above the name "Prepared Mustard."

**PROCESS BUTTER.**—All packages containing same sold, offered or exposed for sale, or in possession with intent to sell, must be labeled "Process Butter."

Packages put up for immediate delivery must be covered by wrappers on which must be printed in conspicuous letters the words "Process Butter."

If packed in tubs or other receptacle the words "Process Butter" must be printed in one-inch letters on the top and two sides of the same.

If uncovered and not contained in a tub or receptacle a placard containing the words "Process Butter" must be attached to the mass, in a manner making them plain and prominent.

**SYRUPS.**—Each barrel, cask, can, keg or pail containing molasses, syrup or glucose shall be distinctly branded or labeled with the true and appropriate name of such article. Packages containing molasses or syrup mixed with glucose shall be branded or labeled "Glucose Mixture" and the per cent in which glucose enters into its composition. All brands or labels shall be in letters of not less than one-half inch in length and shall be in a conspicuous place. Glucose and glucose mixtures shall have no other designation than herein required. Glucose mixtures must bear the name and address of the manufacturer.

**SPICES.**—Must be pure and true to name. Cannot be mixed or compounded with any other article and sold under the name of any ingredient thereof, even though the package be labeled mixture or compound.

**VINEGARS.**—All packages containing vinegar must be branded with the name and address of the manufacturer. All vinegars must contain not less than four per cent by weight of absolute acetic acid and must not contain any preparation of lead, copper, sulphuric acid, or ingredient injurious to health. All vinegars made by fermentation and oxidation must be branded "fermented vinegar," with the name of the fruit or substance from which the same is made, must be free from foreign substance and must contain not less than one and three-fourths per cent by weight of solids contained in the fruit or grain from which said vinegar is fermented, and not less than two and a half tenths of one per cent ash or mineral matter, the same being the product of the material from which said vinegar is manufactured. All vinegars made wholly or in part from distilled liquor must be branded "distilled vinegar," and must be free from artificial coloring matter. Only vinegar made from pure apple juice, free from foreign substances, drugs, or acids, and containing not less than one and three-fourths per cent by weight of cider vinegar solids, can be sold as apple, orchard or cider vinegar.

